

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 7032 OF 2019**

Rameshwar Prasad Gayakwad S/o Bhukhau Ram, Aged about 63 years, Retired Head Master, R/o Village Bagmuda, Post Lawan, Block Balodabazar, District Balodabazar-Bhatapara, CG

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. The Accountant General, Government Of Chhattisgarh, Raipur, Chhattisgarh
3. The Director, Directorate Of Public Instructions, Chhattisgarh, Atal Nagar, Raipur, Chhattisgarh
4. The Joint Director, Treasury, Accounts And Pension, Raipur, Division, Raipur, Chhattisgarh

... **Respondent(s)**

For Petitioner	:	Shri K. P. Sahu, Advocate.
For Respondent-State	:	Mr. Ayaz Naved, Govt. Advocate.
For Respondent No.4	:	Shri Raj Kumar Gupta, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09.09.2019

1. The claim of the petitioner in the present writ petition is for a direction to the respondents to grant pensionary benefits by adding one increment which the petitioner was entitled for on continuous working for one year before the date of retirement.

2. The case of the petitioner is that, the petitioner retired on 30.06.2018 and was entitled for the benefit of one increment from 1st July. According to counsel for the petitioner, the petitioner was entitled for increment for the services rendered in the previous year and therefore has earned the said benefit and while granting pensionary benefits, that one increment which fell due on working for one year before the retirement in the previous year, should be added for the purpose of determining pension and pensionary benefits.
3. At this juncture, counsel for the petitioner brought to the notice of the Court a recent circular of the General Administration Department of the Govt. of Chhattisgarh dated 11.06.2019 whereby the State Govt., as a policy decision, has decided to grant one increment to those employees who retire on 30th June while fixing their pension and pensionary benefits.
4. Given the aforesaid decision of the State Govt. dated 11.06.2019, the respondents are directed to consider the case of the petitioner so far as adding one annual increment to the last wages drawn by the petitioner is concerned for the purpose of determining pension and retiral dues which the petitioner would be entitled for. Let this exercise be completed by the respondents within a period of four months from the date of receipt of copy of this order.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge