

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 8097 of 2019**

R.K. Gautam S/o Late Shri Brijkishore Gautam Aged About 66 Years
Retired Unani Medical Officer, Primary Health Centre, Chhuri, Tah.
Katghora, Distt. Korba, Chhattisgarh. R/o C/o K.D. Gautam, F.F - 2,
Dwarika Township Pichhor Road, Out Side Badagaon Gate, Jhanshi,
Distt. Jhanshi Uttarpradesh, District : Jhansi, Uttar Pradesh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Mantralya, Naya Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director Indian Medicine System And Homeopathy, Indrawati Bhavan, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The District Ayurved Officer Korba Korba Dist. - Korba Chhattisgarh., District : Korba, Chhattisgarh
4. The Treasury Officer District Treasury, Korba District Korba Chhattisgarh., District : Korba, Chhattisgarh
5. The Account General Zero Point Baloda Bazar Road, Po Mandar Raipur, Distt. Raipur Chhattisgarh., District : Raipur, Chhattisgarh

----Respondents

For Petitioner	:	Mr. M.K. Sinha, Advocate
For State	:	Ms. Abhyunnati Singh, P.L.
For Respondent No.5	:	Mr. Rajkumar Gupta, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03/10/2019**

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 30.06.2017 and was entitled for the benefit of one increment from 1st July. According to counsel for the petitioner, the petitioner was entitled for the 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 have been added for the purpose of determining pension and pensionary benefits.

3. At this juncture, the 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 respondents authorities are directed to grant proper fixation of the petitioner after granting him the annual increment, that he would be entitled for, for the period from July, 2018 to June, 2019 and after recalculating the entitlement of the petitioner, the entire retiral dues payable to him be also revised and released to the petitioner at the earliest preferably within a period of 4 months from the date of receipt of the copy of this order. So far as the undisputed amount is concerned, the amount, which is payable to the petitioner should be forthwith released.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge