

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 7983 of 2019

Brajkishor Sharma S/o Anand Ram Sharma Aged About 69 Years Retired From The Post Of Lecturer, Govt. Higher Secondary School, Lailunga, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, General Administration Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Secretary Tribal Welfare Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Commissioner Tribal Welfare Department, Indrawati Bhawan, Atal Nagar, Naya Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
4. Assistant Commissioner Tribal Welfare Department, Raigarh, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---Respondents

For Petitioner	:	Mr. C. Jayant K. Rao, Advocate
For State	:	Mr. Ashutosh Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

30/09/2019

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 30.06.2013 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 writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved