

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 7838 of 2019

Mahettar Lal Yadav S/o Balmukund Yadav Aged About 66 Years Retired From The Post Of Head Master, Government Middle School, Budbuda, Block Baramkela, District Raigarh, Chhattisgarh.

---- Petitioner(s)

Versus

- 1.** State of Chhattisgarh Through The Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
- 2.** Secretary Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
- 3.** Director Public Instructions, Indrawati Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
- 4.** District Education Officer Raigarh, District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---Respondents

For Petitioner	:	Shri CJK Rao, Advocate.
For State	:	Ms. Abhyunnati Singh, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

24.09.2019

- 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 **30.06.2015** 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 had 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

inder