

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 7856 OF 2019**

- Ishwar Prasad Sao, S/o Narayan Prasad Sao, aged about 70 years, retired from the post of Upper Division Teacher, Govt. Middle School, Lukapara, Block Baramkela, District Raigarh (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through the Secretary, General Administration Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur (CG)
2. Secretary, Education Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur (CG)
3. Director, Public Instructions, Indrawati Bhawan, Atal Nagar, Raipur, District Raipur (CG)
4. District Education Officer, Raigarh, District Raigarh (CG)

... Respondents

For Petitioner	:	Mr. C.J.K. Rao, Advocate.
For Respondent-State	:	Mr. Anshuman Shrivastava, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****26/09/2019**

1. 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. Case of the petitioner is that, the petitioner has retired on 30.06.2012 and he was entitled for the benefit of one increment from 1st of July, 2012. According to the petitioner, he was entitled for the increment for the services rendered in the previous year and therefore he has earned the said benefit and while granting pensionary benefits that one increment, which fell due on his 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 this Court a recent circular of the General Administration Department of the Government of Chhattisgarh, dated 11.6.2019, whereby the State Government 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 said decision of the State Government, dated 11.6.2019, 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 for the purpose of determining pension and retiral dues which the petitioner would be entitled for.

5. Let this exercise be completed by the respondents in respect of the petitioner within a period of four months from the date of receipt of copy of this order.

6. The writ petition accordingly stands disposed of.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE