

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPS No. 8462 of 2019**

Swarup Chandra Gupta, S/o. Late Purna Chandra Gupta, Aged About 63 Years, Retired From The Post Of Assistant Grade-3, Office Of The Assistant Commissioner, State Tax Circle-1, Raigarh, District Raigarh Chhattisgarh.

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh, Through The Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District- Raipur, Chhattisgarh.
2. Secretary, Commercial Tax Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.
3. Commissioner (State Tax) Raipur, District Raipur Chhattisgarh.
4. Assistant Commissioner State Tax Circle-1, Raigarh, District Raigarh Chhattisgarh.

**---- Respondents**

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| For Petitioner        | : | Shri C. Jayant K. Rao, Advocate |
| For Respondents/State | : | Shri Kunal Das, Panel Lawyer    |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**14/10/2019**

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 30.06.2018 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/-  
Goutam Bhaduri  
Judge

Jyoti