

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9651 of 2019

1. Bhushan Lal Sahu S/o Late Rikhram Sahu Aged About 63 Years Retired Upper Division Teacher From Govt. Middle School Dhunchapali, Bagbahara District Mahasamund Chhattisgarh Resident Of Thanapara Ward No 3 Bagbahara District Mahasamund Chhattisgarh.
2. Smt. Subhashini Panigrahi W/o Shri Vishwanath Panigrahi Aged About 63 Years Retired Upper Division Teacher From Govt. Middle School Bagbahara District Mahasamund Chhattisgarh Resident Of Main Road Ward No. 2 Bagbahara District Mahasamund Chhattisgarh.
3. Virendra Kumar S/o Late Shri Parmanand Kumar Aged About 64 Years Retired Lecturer From Govt. Higher Secondary School Komakhan , Block Bagbahara District Mahasamund Chhattisgarh Resident Of Ward No 2 Shanti Nagar Bagbahara District Mahasamund Chhattisgarh.
4. Ghasuram Tandey S/o Mayaram Tandey Aged About 63 Years Retired Lecturer From Govt. High School Boergaon Block Bagbahara District Mahasamund Chhattisgarh Resident Of Village Kasekera, Post Kasekara, Via Bagbahara District Mahasamund Chhattisgarh.

--- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education Mantralaya, Mahanadi Bhawan , Atal Nagar, New Raipur District Raipur Chhattisgarh.
2. District Education Officer Mahasamund, District Mahasamund Chhattisgarh.

----Respondents

For petitioner – Shri Ajay Shrivastava, Advocate.
For State-Shri Priyank Rathi, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

25/11/2019

1. The claim of the petitioners in the present writ petition is for a direction to the respondents to grant pensionary benefits by adding one increment which the petitioners were entitled for, on continuous working for one year before the date of retirement.
2. The case of the petitioners is that the petitioner no.1 was working as Upper Division Teacher, petitioner No.2 was working as Upper Division Teacher, petitioner No.3 was working as Lecturer and petitioner No.4 was

working as Lecturer who stands retired on 30.06.2018 and were entitled for the benefit of one increment from 1st July. According to counsel for the petitioners, the petitioners were entitled for increment for the services rendered in the previous year and therefore have 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, 2018 while fixing their pension and pensionary benefits.

4. Learned State Counsel do not dispute the fact brought to the notice of the court by the petitioners.

5. Given the aforesaid decision of the State Govt. dated 11.6.2019 the respondents are directed to consider the case of the petitioners so far as adding one annual increment to the last wages drawn by the petitioners is concerned for the purpose of determining pension and retiral dues which the petitioners 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.

6. With the above observations, this writ petition stands disposed off.

Sd/-

(Goutam Bhaduri)

JUDGE