

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 10344 of 2019**

- Smt. Shail Chandrakar W/o Shri J.L. Chandrakar Aged About 63 Years R/o Ekta Nursing Home, Beside of Dr. Nigam Nursing Home, Shantinagar Raipur, Police Station Civil Line, Tehsil and Distt. Raipur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department of School Education, Mahanadi Bhawan , Mantralaya , Police Station And Post Rakhi, Atal Nagar, Raipur, District Raipur Chhattisgarh
2. District Education Officer (DEO) Office Of DEO, Department of Education Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner : Mr. Abhishek Pandey, Advocate

For State : Ms. Richa Shukla, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****09/12/2019**

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 30.06.2019 and was entitled for the benefit of one increment from 1st July. According to counsel for the petitioner, she was 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, 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 petitioner.
5. Given the aforesaid decision of the State Govt. 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 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.
6. With the above observations, this writ petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge