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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 570 of 2020**

- Janak Dev Yadav S/o Shri H.R. Yadav Aged About 68 Years R/o Boir Dadar, Malipara, Near Gaiyatri Mandir, Raigarh, Police Station Chakradhar Nagar, Tahsil And District Raigarh Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Technical Education, Mahanadi Mantralaya, Police Station And Post Rakhi, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. Director Office Of Director, Employment And Training, Indrawati Bhawan, 1st Floor, Raipur, Atal Nagar, Police Station And Post Rakhi, District Raipur Chhattisgarh.
3. Divisional Joint Director Office Of Divisional Joint Director (Kosh, Lekha, Pension), Bilaspur Division District Bilaspur Chhattisgarh.
4. Joint Director (Training) Divisional Office, Industrial Training Institute, Bilaspur Region, District Bilaspur Chhattisgarh.
5. Principal ITI, Raigarh, District Raigarh Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Abhishek Pandey with Ms. Deepika Sannat, Advocate
For Respondents/ State	:	Shri Neeraj Pradhan, P.L.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****24/01/2020**

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 30.06.2014 and was entitled for the benefit of one increment from 1st July. According to

counsel of 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 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 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. The State shall be at liberty to examine the case of the petitioner individually whether the said benefit of the circular is applicable to the petitioner also. 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