

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 949 of 2020**

- Shri Chhedilal Mahilange S/o Late Shri Sakharam Mahilange Aged About 74 Years R/o Village Motimpur Post Jarhagaon Tahsil And District- Mungeli, C.G.

---- Petitioner**Versus**

1. The Asst. Commissioner Tribal Development Aadim Jati Kalyan Vibhag Korba Tahsil And District- Korba, C.G.
2. The Divisional Joint Director Fund, Account And Pension, District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioner : Shri S.P. Sannat, Advocate

For Respondents/ State : Shri Soumya Rai, P.L.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****13/02/2020**

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 30.06.2008 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 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