

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1100 of 2020

- Ekadasiya Bholiya S/o Munchu Bholiya Aged About 70 Years Retired Forester, R/o Village And Post Garhumaria, Tahsil Pusaur, District Raigarh Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Forest Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur Chhattisgarh.
2. Divisional Forest Officer Forest Division Raigarh, District Raigarh Chhattisgarh.
3. Range Officer Gharghoda, District Raigarh Chhattisgarh

--- Respondents

For Petitioner	: Mr. Ajay Shrivastava, Advocate
For Respondents	: Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.02.2020

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 30.06.2010 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 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 object to the submission made by counsel for the petitioner.
5. Given the aforesaid decision of the State Government dated 11.06.2019 the petitioner is given liberty to make a representation to Respondent No. 2 within 2 weeks from today and if such representation is filed Respondent No. 2 shall decide the representation so filed 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 respondent No. 2 within a period of four months from the date of receipt of copy of this order after due verification of the facts.
6. With the aforesaid observation, this writ petition stands disposed off.

Sd/-
(GOUTAM BHADURI)
JUDGE