

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1934 of 2020

T. K. Lamba S/o Late Shri R.L. Lamba Aged About 64 Years R/o House No. 36, T- Ward , Sainik Colony, Bairagarh, Bhopal , Police Station Bairagarh, Tahsil And District Bhopal Madhya Pradesh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Health And Family Welfare, Mahanadi Bhawan, Mantralaya , Police Station And Post Rakhi , Atal Nagar Raipur , District Raipur Chhattisgarh.
2. State Of Chhattisgarh Through Its Secretary , Department Of Finance And Planning , Mahanadi Bhawan, Mantralaya, Police Station And Post Rakhi , Atal Nagar Raipur , District Raipur Chhattisgarh.
3. Divisional Joint Director Office Of Divisional Joint Director, Kosh Lekha And Pension , Behind Collector Office , Durg, District Durg Chhattisgarh.
4. Chief Medical And Health Officer (CMHO), Office Of CMHO, Bemetara , District Bemetara Chhattisgarh.

---- Respondents

For petitioner- Shri Abhishek Pandey, Advocate.
For Respondent/State – Smt. Richa Shukla Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/05/2020

Heard.

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 30.06.2018 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, 2018 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 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. It is made clear that this court has not observed anything on the merits of this case. Aforesaid consideration would be subject to policy decision of the State.

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

Sd/-

(Goutam Bhaduri)

JUDGE