

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2845 of 2020

Nand Kumar Yadu S/o Late Shri D. R. Yadu Aged About 65 Years
R/o Ward No. 1, Ravanbhata Para (Amraeshyapara), Pithora, P.S.
And Tehsil- Pithora, District- Mahasamund, Chhattisgarh

--- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Administrative Department, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh
2. Zila Panchayat Mahasamund, Through Its Chief Executive Officer District- Mahasamund, Chhattisgarh
3. Collector Mahasamund, District- Mahasamund, Chhattisgarh
4. Janpad Panchayat Pithora Through Its Chief Executive Officer, District- Mahasamund, Chhattisgarh

----Respondents

For Petitioner - Mr. Surfaraj Khan, Advocate.

For State - Ms. Richa Shukla, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

20/07/2020

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 who was working as Assistant Internal Account Audit & Taxation Officer, Janpad Panchayat Pithora, District Mahasamund stands retired on 30.06.2017 is 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 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, 2017 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