

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (SERVICE) NO. 1362 OF 2021**

Suresh Vairagde, S/o Late Mohandas Vairagde, aged about 65 years, House No. 311, MIG (Standard), Phase II, Kabir Nagar, Raipur (CG)

... Petitioner**versus**

CG Khadi Tatha Gramodyog Board, through the Managing Director, Mahatma Gandhi Smriti Bhawan, Kankali Para Road, Sports Complex Premises, Raipur (CG)

... Respondent

For Petitioner	:	Mr. N. Naha Roy, Advocate.
For Respondent	:	Mr. R.S. Patel & Mr. Palash Agrawal, Advs.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06/04/2021**

1. Claim of Petitioner is confined to the arrears of difference of pay on account of implementation of 7th Pay Commission recommendations with effect from 1.1.2016.
2. Learned Counsel for Petitioner submits that Petitioner has been retired from service with effect from 31.12.2016 and, after his retirement, the Respondent had implemented the recommendations of 7th Pay Commission and the salary of the employees stood revised. By which time the Petitioner however got retired and the benefit of 6th Pay Commission came up for to be paid with effect from 1.1.2016 and since the Petitioner stood retired from service 31.12.2016 he was entitled for difference of pay by virtue of revision of pay, from 1.1.2016 till 13.12.2016.
3. Learned Counsel for Respondent submits that since the representation of Petitioner is pending consideration before Respondent, the same shall be duly considered in accordance with the rules governing the field at the earliest.
4. From perusal of records, it appears that the Respondent authorities themselves have vide Annexure P-4, dated 19.2.2020, found the Petitioner to be eligible for the benefit of revision of pay and he has already duly exercised his option which is also reflected from the records.

5. Given the facts and circumstances of the case, the present Writ Petition at this juncture is being disposed of directing the Respondent to consider, decide and settle the claim of Petitioner, at the earliest, preferably within a period of 90 days from the date of receipt of copy of this order.

6. In case Petitioner is entitled for the benefit of arrears, the same should also be settled within the aforementioned period of 90 days, failing which the entire arrears shall carry interest at the rate of 10% per annum from the date it fell due till the actual payment is made.

7. Writ Petition accordingly stands disposed of with aforesaid observations.

Sd/-
(P. Sam Koshy)
JUDGE

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