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HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3178 of 2021**

Chandelpuri Goswami S/o Late J.P. Goswami Aged About 69 Years Lab Attendant (Retd.), CMD College (Chhattisgarh), R/o B- 301, Ravi Heights, Kumharpara, Near Rajiv Gandhi Chowk, Bilaspur (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Ministry Of Higher And Technical Education, Man Power Deployment, Science And Technology, Mantralaya, Mahanadi Bhawan, Capital Complex, Naya Raipur, District Raipur (Chhattisgarh)
2. The Commissioner Higher Education Department, Govt. Of Chhattisgarh, Mantralaya, Naya Raipur
3. C M Dubey College Through Principal, CMD Chowk, District Bilaspur (Chhattisgarh)

----Respondents

For Petitioner	:	Mr. B.P. Sharma, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****01/07/2021**

1. Learned counsel for the petitioner submits that the petitioner has retired on 31.07.2014, who was a Lab Attendant in the aided college of Respondent No. 3. It is further submitted that since it was a aided college the petitioner was entitled to receive the benefits of 7th pay commission as the similarly placed employees have been granted the benefits.
2. Under the circumstances, since the other similarly placed employees have been granted the benefits of 7th pay commission in respect of pension and other ancillary benefits, the petitioner at this stage prays that he has made a representation to the

Commissioner Higher Education Department (Respondent No. 2) on 07.06.2021 (Annexure P-1) for grant of benefits and prays that the same may be directed to be decided by a speaking order so that the petitioner may also get the benefits which are being granted to the similarly placed employees.

3. Considering the limited prayer made, at this stage, without any observation on the merits as to the entitlement of the petitioner, the Respondent No.2 is directed to decide the representation (Annexure P-1) of the petitioner within a further period of 4 months from the date of receipt of a copy of this order.
4. With the aforesaid observation, the petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

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HIGH COURT OF CHHATTISGARH AT BILASPUR**MCC No. 373 of 2021**

- Chandelpuri Goswami, S/o Late J.P. Goswami, aged about 69 years, Lab Attendant (Retd.), CMD College, Chhattisgarh, R/o B-301, Ravi Heights, Kumharpara, near Rajiv Gandhi Chowk, Bilaspur (CG)

... Applicant/Petitioner**versus**

1. State of Chhattisgarh, through Secretary, Ministry of Higher and Technical Education Man Power Deployment, Science and Technology, Mantralaya, Mahanadi Bhawan, Capital Complex, Naya Raipur, District Raipur (CG)
2. The Commissioner, Higher Education Department, Govt. of Chhattisgarh, Mantralaya, Naya Raipur, District Raipur (CG)
3. C.M.D. College, through its Principal, CMD College, Bilaspur (CG)

... Non-applicants/Respondents

For Applicant/Petitioner :	Ms. Anuja Sharma, Advocate.
For Non-applicants/ Respondents No. 1 & 2 :	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

09/08/2021

1. The present MCC has been filed by Applicant/Petitioner seeking for modification of the Order dated 1.7.2021 passed by this Court in WPS No.3178/2021.
2. The modification sought for is to the extent that in Paragraphs No.1 & 2 of the Order dated 1.7.2021 the benefits that Petitioner seeks is reflected to be as per the "7th Pay Commission" whereas the prayer made by Petitioner was for grant of benefits in terms of the recommendations made by the 6th Pay Commission, as the Petitioner has retired before the 7th Pay Commission came into force.
3. The said modification sought for by Applicant/Petitioner is not opposed by learned Dy. Govt. Advocate appearing for Non-applicants/Respondents, subject to due verification of the facts.

4. Accordingly, the Order dated 1.7.2021 passed in WPS No.3178/2021 stands modified to the extent that in Paragraphs No.1 & 2 of the Order the term "7th Pay Commission" reflected shall be read as "6th Pay Commission".
5. MCC is allowed and disposed of accordingly.
6. Let a copy of this Order be also made a part of the record of original Writ Petition i.e WPS No.3178/2021.

Sd/-
(P. Sam Koshy)
Judge

/sbarad/