

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3916 of 2021**

Devi Prasad Saraf S/o Late Shri Chhedilal Saraf Aged About 74 Years
 Retd. Addl. Superintending Engineer (T And D) C S E B / Bilaspur R/o -
 Masan Ganj, Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. Chhattisgarh State Power Distribution Company Limited, Through - The
 Managing Director, Vidyut Seva Bhawan, 4th Floor, Dangania, Raipur -
 492001 Chhattisgarh
2. The Chief Engineer (Rr), Chhattisgarh State Power Distribution Company
 Limited, Dangania, Raipur - 492001 Chhattisgarh

---- Respondents

For Petitioner : Mr. B. P. Rao, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****10/08/2021**

1. The limited grievance that petitioner has is the non restoration of the
 annual increment which was withheld by the order of punishment dated
 02.06.2001.
2. The brief facts for the disposal of the present writ petition is that the
 petitioner was working under the respondents as a Additional
 Superintendent Engineer. The petitioner was inflicted with a minor
 punishment vide order dated 02.06.2001. The order of punishment was of
 stoppage of one annual increment for a period of two years. The

punishment order was given effect to from the time the increment fell due from July, 2002 i.e. the time from 16.11.2002 to 16.11.2004. Subsequently, the petitioner on attaining the age of superannuation stood retired from service w.e.f. 30.11.2004. Now the grievance of the petitioner is that since the order of punishment was a minor punishment and effect of stoppage of increment was without cumulative effect. The moment the period of punishment got over on 16.11.2004, the annual increment of the petitioner ought to have got restored and post retiral dues ought to have been settled after restoration of withheld increment and this the respondents shall not have done. The petitioner from the pleadings seems to have been representing before the authorities right from the date of his retirement. Some of the representations also enclosed along with the writ petition Annexure P-4 shows that a similar representation was submitted on 20.06.2007. None of these representations and reminders made have been considered and decided by the respondent authorities. Thereby, the petitioner firstly has received an amount of retiral dues which he was otherwise entitled for. It has also adversely affecting the pensionary benefits. Thus, according to the petitioner the grievance of the petitioner is recurring one.

3. Given the limited grievance that petitioner has this Court is of the opinion that considering the age of petitioner and nature of dispute no fruitful purpose would be served in admitting the writ petition and calling for reply of the respondents rather ends of justice would be served if writ petition at this juncture is disposed of directing the respondents to consider the claim of the petitioner so far as non restoration of the annual increment after the punishment period got over while the petitioner was in service.
4. Let respondents take necessary steps in ensuring that the claim of the petitioner is considered and decided and if any claimants is to be made then pensionary benefits have to be revised.

5. Let all steps be taken within an outer limit of 90 days from the date of receipt of copy of this order.
6. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit