

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5115 of 2020**

1. S. R. Chouhan (Sukh Ram Chouhan) S/o Late Shri B.S. Chouhan Aged About 53 Years Retired Assistant Director Posted At Primitive Caste Research And Training, Institute , Raipur District Raipur Chhattisgarh, Current R/o House No. M.D.S. 157 , Kabir Nagar Raipur District Raipur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Primitive Caste And Schedule Caste Development Department Mahanadi Bhawan New Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Primitive Caste And Schedule Caste Development Department Mahanadi Bhawan New Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Deputy Director Primitive Caste And Schedule Caste Development Department Mahanadi Bhawan, New Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Assistant Director Primitive Caste And Schedule Caste Development Department Mahanadi Bhawan, New Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Krishna Tandon, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****18.01.2021**

1. The primarily relief that the petitioner has sought in the present writ petition is for grant of benefit as per 7th pay commission including arrears of difference of wages and the revised pensionary benefits that the petitioner would be entitled for on applying the seventh pay

commission.

2. The contention of the petitioner is that the petitioner was retired from service on the post of Assistant Director (Grade- II) w.e.f. 31.03.2016. The seventh pay commission was introduced subsequently, however while the same was implemented, the petitioner had by then retired from service. The petitioner, since he had retired subsequent to 01.01.2016, would also be entitled for the benefit of the seventh pay commission which till date has not been granted to the petitioner.
3. Given the aforesaid factual matrix of the case, this Court is of the opinion that ends of justice would meet if the respondents No. 2 to 4 are directed to ensure that the benefits of the seventh pay commission is calculated to the petitioner and if not paid to the petitioner till now be released to the petitioner at the earliest including that of the arrears both of the salary till March 2016 and the arrears of the retiral and pensionary benefits till date be paid to the petitioner within a period of 120 days from the date of receipt of copy of this order.
4. The writ petition accordingly stands allowed and disposed of.

Sd/-

P. Sam Koshy
Judge