

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5135 of 2020**

Y. G. Dharkar Son Of Gangadhar Dharkar, Aged About 85 Years, R/o.
C/o. Shiv Narayan Sharma, 27 Kholi, Bilaspur, District Bilaspur
(Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Urban Administration Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (Chhattisgarh)
2. Commissioner, Chhattisgarh Housing Board, Raipur, District Raipur (Chhattisgarh)
3. Accountant General, Chhattisgarh Housing Board, Head Quarter, Raipur, District Raipur (Chhattisgarh)
4. Administrative Officer, Chhattisgarh Housing Board, Raipur, District Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Ms. Sareena Khan, Advocate
For State	:	Mr. Sudeep Verma, Dy. Govt. Advocate
For Respondent no.3	:	Ms. Purnima Singh, Advocate
For Respondents 2 & 4	:	Mr. Palash Tiwari on behalf of Mr. Prakash Tiwari, Advocate

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

1. The grievance of the petitioner in the present writ petition is to the extent of non-granting of the extra pensionary benefits that the petitioner would get after crossing the age of 85 years as per the circular of the State Govt. dated 06.07.2018.

2. Learned counsel appearing for the respondents 2 & 4 submits that firstly it has to be decided whether the circular dated 06.07.2018 Annexure P-1 would be applicable upon the Chhattisgarh Housing Board or not and secondly whether the petitioner and any other persons have been granted this benefit in the past or not.
3. Considering the fact that the petitioner is more than 85 years of age and the claim is for enhancement of pensionary benefits in terms of Annexure P-1, let the petitioner make a fresh representation to the respondent no.2 within a period of 2 weeks from today and on such representation being made, the respondent no.2 shall take a decision on the entitlement of the petitioner within a further period of 90 days from the date of receipt of representation of the petitioner. In case, the petitioner is found entitled for the enhanced pension, the same should also be released to the petitioner forthwith.
4. The writ petition accordingly stands disposed of.

Sd/-
P. Sam Koshy
Judge