

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5291 of 2020

1. Vasudev Jotwani, S/o Late Shri Gyanchand Jotwani, Aged About 64 Years Executive Engineer (Retd.) Office Of Chief Engineer, Hasdev Kachhar Water Resource Department, District - Bilaspur, Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh, Through The Principal Secretary, Finance Department, Mantralaya, Mahanadi Bhawan, Nava Raipur Atal Nagar, District - Raipur, Chhattisgarh.
2. Director, Treasury, Accounts and Pension Department, Nava Raipur Atal Nagar, District Raipur, Chhattisgarh.
3. Divisional Joint Director, Treasury, Accounts and Pension Department, Bilapur Division, District - Bilaspur, Chhattisgarh.

---Respondents

For Petitioner	:	Shri AS Kushwaha, Advocate.
For State	:	Shri Sudeep Verma, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10.02.2021

1. The only grievance which has been raised by the petitioner is that of non granting of third time scale pay though the petitioner is entitled for the same on completion of 30 years of service.
2. According to the petitioner, in terms of the circular dated 08.08.2018 the petitioner becomes entitled for the said benefits on his completion of 30 years of service which he has completed in the year, 2016 itself. He further submits that the correspondence made within the department shows that the petitioner has been found to be entitled and eligible for the said benefit but till date, though he has now been retired for almost four years, the petitioner has not been granted benefit of the same.
3. The aforesaid contention of the counsel for the petitioner quoted with the writ petition is not disputed by the State counsel.
4. Under the said facts and circumstances, the writ petition at this juncture stands disposed of directing the respondents No.2&3 to ensure that the

case of the petitioner so far as grant of third time scale pay is concerned is considered at the earliest and settled within an outer limit of 90 days and the entire dues payable to the petitioner should also be released within the aforesaid period failing which the entire amount payable to the petitioner shall carry interest @ 10 percent per annum from the date the petitioner became eligible for the same till the actual date of payment.

5. The government would be at liberty to recover the interest part, if paid to the petitioner, from the erring officer who not processed the claim of the petitioner timely.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder