

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 5365 of 2020

1. Smt. Chandrakala Singh W/o S. D. Singh Aged About 63 Years R/o Sai Residency, Qtr. No. A-1/4, Arvind Nagar, Behind Dreamland School, Sarkanda, Bilaspur District Bilaspur Chhattisgarh.

---Petitioner(s)

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh
2. Secretary, Adim Jati Kalyan Vibhag, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh
3. Collector (Adiwasi Vikash Prabhad) Korba District Korba Chhattisgarh
4. District Education Officer Korba District Korba Chhattisgarh
5. Assistant Commissioner Adiwasi Vikash Vibhag, Korba District Korba Chhattisgarh
6. Block Education Officer Pali District Korba Chhattisgarh

---Respondents

For Petitioner	:	Shri Bhupendra Kumar Pandey, Advocate.
For State	:	Shri Amit Buxy, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20.01.2021

1. The grievance of the petitioner in the present writ petition is the inaction on the part of the respondents in not adding increment in the course of releasing of the retiral dues and fixation of the pension.
2. According to counsel for the petitioner, the petitioner stood retired from service w.e.f. 30.06.2018. The previous increment that he received was on 01.07.2017. According to the petitioner, having worked for a continuous period of 12 subsequent months from 01.07.2017 to 30.06.2018, the petitioner became eligible for the next increment which has not been granted to him while fixing his retiral and pensionary benefits.
3. Though the counsel for the State submits that the government has already taken a decision vide order dated 15.07.2020 on this issue turning down

the claim for grant of increment, but there does not seem to be any order passed by the respondents in the representation that the petitioner has preferred.

4. Given the said facts, let the respondents consider the claim of the petitioner so far as grant of increment for the period 01.07.2017 to 30.06.2018 for the purpose of granting his retiral and pensionary benefits. While taking a decision, the respondents shall take into consideration the judgment of Madras High Court on this issue which has been affirmed by the Supreme Court. Let a decision be taken at the earliest preferably within a period of 60 days from the date of receipt of copy of this order.
5. Accordingly, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder