



CGHC010363012019



2026:CGHC:33497

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 8994 of 2019**

Dr. Ajay Dani, S/o. Late Upendra Prasad Dani, Aged About 63 Years, R/o.
Sanskar 286, Aarya Nagar, Durg, District Durg, Chhattisgarh.

... Petitioner**versus**

1 - State Of Chhattisgarh, Through the Secretary, Public Health And
Family Welfare Department, Mahanadi Bhawan, Mantralaya, Atal Nagar,
Nawa Raipur, District Raipur, Chhattisgarh.

2 - The Director, Directorate Of Health Services, Indrawati Bhawan,
Mantralaya, Atal Nagar, New Raipur, District : Raipur, Chhattisgarh.

3 - The Union Of India, Through The Director, Ministry Of Personnel, PG
& Pensions Department Of Pension And Pensioners Welfare, 3rd Floor,
Lok Nayak Bhawan, Khan Market, New Delhi 110003.

... Respondents

For Petitioner : Mr. Jitendra Gupta, Advocate

For Respondent No.1 & 2 : Mr. Sharad Mishra, Panel Lawyer



(Single Bench)

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

03.08.2026

1. The petitioner has questioned the order dated 05.09.2019 (Annexure P-1), by which claim for NPA allowance has been rejected on the ground that it is applicable w.e.f. 01.01.2018.
2. Mr. Jitendra Gupta, learned counsel appearing for the petitioner, submits that the impugned order is unsustainable and bad in law, therefore, the same is liable to be set aside.
3. Mr. Sharad Mishra, learned State counsel, supports the impugned order and submits that the NPA allowance is payable as per the circular dated 13.07.2018, which is applicable w.e.f. 01.01.2018. He further submits that since the petitioner had already retired prior to 01.01.2018, therefore, he is not entitled for NPA allowance and, as such, the petition is liable to be dismissed.
4. Heard learned counsel for the parties, considered their rival submissions and perused the record minutely.
5. The petitioner's representation has been rejected on the ground that NPA allowance is applicable w.e.f. 01.01.2018, whereas the petitioner had already retired on 03.01.2017. Therefore, the



petitioner would not be entitled for 20% NPA allowance, as he had already retired on 03.01.2017 i.e. prior to 01.01.2018. (*See : State of Uttar Pradesh v. Jogendra Singh [(1998) 1 SCC 449]*).

- 6.** In view of the above, I do not find any merit in this petition, the same deserves to be and accordingly dismissed.

Sd/-
(Sanjay K. Agrawal)
Judge

Ashok