



CGHC010314162021

2026:CGHC:28124  
NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPS No. 6637 of 2021**

- Ajay Kumar Shrivastava S/o Shri Purushottam Lal Shrivastava Aged About 60 Years C/o Shri Shyam Bihari Shrivastava Near Dr. Acharya Nursing Home, Ravi Nagar, Shukla Colony Raipur, P. S. Civil Line Raipur District Raipur Chhattisgarh

... **Petitioner(s)**

**versus**

1. Chhattisgarh Rajya Gramin Bank Through The Chairman, Head Office, Mahadev Ghat Road Sunder Nagar, Raipur Chhattisgarh 492013
2. Regional Manager Chhattisgarh Rajya Gramin Bank, Regional Office G. R. Road, Near Mundra Kunj Rajnandgaon, District Rajnandgaon Chhattisgarh

... **Respondent(s)**

(Cause-title is taken from Case Information System)

For Petitioner	:	Mr. Sunil Sahu, Advocate
For Respondent	:	Mr. Raj Shengale, Advocate

**Hon'ble Shri Justice Rakesh Mohan Pandey**

**Order on Board**

**8.7.2026**

1. By way of this petition, the petitioner has sought following relief(s):-

**10.1** That, this Hon'ble court may kindly be pleased to issue an appropriate writ by quashing the impugned order dated 01/06/2019 (Annexure P-1) passed by the respondent No.2.

**10.2** That, the respondent bank be ordered to release to the petitioner the revised pension, at least the compassionate allowance, under the new Pension Scheme which has been effective from 01/04/2018.

**10.3** That, the respondent bank be ordered to release to the petitioner his other service benefits like gratuity, amount of leave encashment which it has unduly withheld so far.

**10.4** That this Hon'ble court may kindly be please to issue an appropriate writ commanding and directing the respondents to consider and decide the representation of petitioner which relates to revised pension.

**10.5** Any other relief as deemed fit by the Hon'ble Court.

2. Facts of present case are that petitioner who was an employee of respondent-Bank was posted as Scale-I Officer when he was inflicted with penalty of dismissal from services vide order dated 9.8.2016. The petitioner was accused of forging documents, sanctioning fraudulent loans, and abusing his power while working at the Raveli branch to defraud the bank. After dismissal from services, he was getting monthly pension of Rs. 2,360/- according to old scheme.
3. Subsequently, respondent Bank implemented new pension scheme w.e.f 1.4.2018 and petitioner submitted application for revision of pension on 15.2.2019, deposited amount of Rs. 4,85,464/- on 8.3.2019 and claimed revised pension according to Regulation 29 of Chhattisgarh Rajya Gramin (Employees') Pension Regulations, 2018 [hereinafter to be referred as 'Pension

Regulations, 2018’]. Respondent No. 2 vide order dated 1.8.2019 rejected the application moved by the petitioner.

4. Learned counsel for the petitioner submits that according to the new pension scheme, petitioner is entitled for higher pension therefore he deposited Rs. 4,85,464/- but respondent No. 2 failed to assign any reason while rejecting the application moved by the petitioner. He further submits that petitioner claimed revised pension in accordance with the applicable rules and regulations as a matter of right. He prays to allow this petition.
5. On the other hand, learned counsel for the respondents submits that the authority concerned has to assign special reason(s) while granting benefit under Regulation 29 of Pension Regulations, 2018 and the amount so deposited by the petitioner has already been refunded on 17.1.2026 therefore this petition is misconceived and deserves to be dismissed.
6. I have heard learned counsel for the parties and perused the material available on record.
7. It is not in dispute that order of dismissal from services was passed against the petitioner on 9.8.2016 on the ground that petitioner abused his power in fraudulently sanctioning and disbursing loans to various persons thus defrauding the Bank. Petitioner is currently receiving monthly pension of Rs. 2,360/-.

8. Respondent Bank floated Pension Regulations, 2018 which came into effect from 1.4.2018 and petitioner moved application for grant of revised pension according to the Regulation 29 which deals with Compassionate Allowance. Regulation 29 is reproduced herein-below :-

**29.** Compassionate allowance.-(1) An employee, who is dismissed or removed or terminated from service, shall forfeit his pension:

Provided that the authority higher than the authority competent to dismiss or remove or terminate him from service may, if-

(i) such dismissal, removal, or termination is on or after the effective date; and

(ii) the case is deserving of special consideration,

sanction compassionate allowance not exceeding two-thirds of the pension which would have been admissible to him on the basis of the qualifying service rendered upto the date of his dismissal, removal, or termination.

(2) The compassionate allowance sanctioned under the proviso to sub-regulation (1) shall not be less than the amount of minimum pension payable under regulation 34.

According to this provision, an employee who is dismissed or terminated from services shall forfeit his pension but the authority higher than the authority who is competent to dismiss or remove, may sanction a compassionate allowance not exceeding two-thirds of the pension if the case is deserving of special consideration.

9. In the present case, the application moved by petitioner for grant of compassionate allowance has already been rejected and the

authority concerned has assigned special reason to the effect that petitioner forged documents, fraudulently sanctioned and disbursed loans to various persons thus defrauded the bank. Furthermore, the power conferred under Regulation 29 is discretionary in nature and the petitioner herein cannot claim compassionate allowance as a matter of right.

**10.** Having considered the facts discussed above, I am of the opinion that no case is made out for interference. Consequently, this writ petition is **dismissed**. No order as to cost(s).

*Sd/-*  
**(Rakesh Mohan Pandey)**  
JUDGE

Ajinkya