Serial No. 19
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 222 of 2024

Date of Decision: 27.02.2026

5200009 Ex-Senior Accountant,
Shri Samir Chandra Kar
S/o (L) Umesh Chandra Kar
R/o Ramnagar Road No. 01
District Tripura West, Tripura-799002 **… Petitioner(s)**

Versus

1. The Union of India represented by
   The Secretary to the Government of India,
   Ministry of Home Affairs, New Delhi-110001

2. The Ministry of Personnel, Public Grievances & Pension
   (Department of Personnel & Training),
   Government of India represented by its
   Secretary, New Delhi-110001.

3. The Director,
   (The Directorate General of Assam Rifles) HQ DGAR,
   Assam Rilfes, Shillong-Meghalaya-793011.

4. The Chief Controller of Accounts, Pay and Accounts,
   Assam Rifles, Shillong, Meghalaya **… Respondent(s)**

Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Appearance:

For the Petitioner(s) : Mr. B. Deb, Adv. with
Ms. P. Kharmawshun, Adv.

For the Respondent(s) : Dr. N. Mozika, DSGI with
Ms. C. Jala, Adv.

i)	Whether approved for reporting in Law journals etc:	Yes/No
ii)	Whether approved for publication in press:	Yes/No

JUDGMENT AND ORDER (ORAL)

1. The petitioner who was enrolled in the Assam Rifles as LDA, and superannuated as a Senior Accountant/Junior Accounts Officer, is before this Court with a prayer for consideration of the representations made before the respondents, for grant of one annual notional increment, which it is claimed, was earned 1(one) day before his retirement, and for grant of consequential pensionary benefits.

2. Mr. B. Deb, learned counsel for the petitioner submits that the writ petitioner who retired on 30.06.2021, had obtained the necessary qualifying service entitling him to the annual increment, which however has not been granted even in spite of the representations made, and as such has filed the instant writ petition before this Court. He further submits that in view of settled law, especially the decision of the Supreme Court in the case of Director ***(Admn. and HR) KPTCL & Ors. vs. C.P. Mundinamani & Ors.*** reported in ***AIR 2023 SC 1956***, wherein it is held that a grant of one annual increment earned on the last day of service was valid, he

contends that the non-consideration of the same is arbitrary. He therefore, prays for appropriate directions, in this regard.

3. Dr. N. Mozika, learned DSGI assisted by Ms. C. Jala, learned counsel for the respondents has submitted that the petitioner has already been granted his service increments as per the Revised Pay Rules, wherein there are 2(two) dates for grant of increments i.e. 1st January and 1st July, of every year, and that the employees are entitled to only 1(one) annual increment. The petitioner he submits, having been granted increment on 01.07.2021, after his retirement is not entitled to any further increment. The learned DSGI further submits that as the representations are yet to be disposed of, the respondents will examine the same and pass necessary orders as per the petitioner's entitlements.

4. Having heard the learned counsel for the parties and examined the materials as placed, including the Office Memorandum dated 20.05.2025, on the subject of grant of notional increment to the employees who retired from Central Government service on 30th June and 31st December, as also the Judgment of the Hon'ble Supreme Court cited by the petitioner, in the considered of the Court, the entire matter deserves to be re-examined by the respondents in the light of the Office Memorandum and the Judgment of the Hon'ble Supreme Court.

5. Accordingly, the writ petition is disposed of by directing the writ petitioner to file a fresh representation enclosing all necessary materials, within a period of 2(two) weeks from today, whereafter on receipt of the same, the respondents will dispose of the representation, within a period of 6(six) weeks.

6. As ordered above, the matter stands closed and is accordingly disposed of.

JUDGE

Meghalaya
27.02.2026
"V. Lyndem-PS"

Signature Not Verified
Digitally signed by
VALENTINO LYNDEM
Date: 2026.02.27 17:21:24 IST