

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5767 of 2019**

6. K. M. Mishra S/o Late Shri Rewaram Mishra, Aged About 62 Years Retired Assistant Engineer, Karyalaya Hashdev Kachhhar Jalsansadhan Department Bilaspur, R/o Ahmad Raza Hussain Masjid Ke Pass Bhartiy Nagar, Thana Civil Line, Tahsil And District Bilaspur Chhattigarh
2. Mahadev Rajaram Nikose S/o Shri Rajaram Nikase, Aged About 62 Years, Retired Karyapalan Engineer, Karyalaya Minimata Bangopariyojana Jalsansadhan Department Bilaspur R/o F- 1/09 Nutan Colony, Sarkanda, Thana Sarkanda, Tahsil And District Bilaspur, Chhattisgarh
- Petitioners**

Versus

1. State Of Chhattisgarh Through Secretary, General Administration Department, Govt. Karmchari Kalyan Shakha, Mantralaya Mahanadi Bhawan, Naya Raipur, Chhattisgarh
2. Secretary, Chhattisgarh Shasan Jalsansadhan Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh
3. Chief Engineer, Jalsansadhan Department, Raipur, Chhattisgarh
4. Sambhagiya Joint Director Kosh Lekha And Pension Bilaspur Sambhag, District Bilaspur, Chhattisgarh
- Respondents**

For Petitioners	:	Mr. Abdul Wahab Khan, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06.08.2019**

1. The grievance of the petitioners in the present writ petition is for grant

of the benefit of one annual increment while fixing pension and other retiral dues payable to the petitioners.

2. According to the petitioners, both of them retired from service on 30th of June, 2019. Since they have retired from service w.e.f. 30.06.2019, they would be entitled for the annual increment that would be payable to them for the period between 1st of June, 2018 to 30th of June, 2019 as the date of annual increment payable to the petitioners is 1st of July. Therefore, according to the counsel for the petitioner, while quantifying pension and other retiral dues, the annual increment which the petitioners became entitled for having worked till 30th June, 2019 has to be added to the last pay and other allowances also.
3. Given the said facts and circumstances of the case, let the respondents 1 to 3 consider the case of the petitioners for grant of one annual increment to the last salary which the petitioners have received for the purpose of quantifying pension and other retiral dues. While deciding the claim of the petitioners, the respondents shall take into consideration the judgment of the Division Bench of Madras High Court in the case of P. Ayyamperumal vs. The Registrar, Central Administrative Tribunal and others decided on 15.09.2017 in W. P. No. 15732 of 2017.
4. With the aforesaid direction, the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge