

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6047 of 2019

1. Sunil Bhattacharya S/o Late Shri Santosh Kumar Bhattacharya Aged About 63 Years R/o Lavanya 16 - Maitri Vihar Colony, Post And Tahsil Dhamtari, Police Station City Kotwali, District Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh
2. Ramlakhan R. Gajendra S/o Late Shri Ramadhar Gajendra Aged About 63 Years R/o Maratha Para, Post And Tahsil Dhamtari, Police Station City Kotwali, District Dhamtari Chhattisgarh, District : Dhamtari, Chhattisgarh
3. Mohammad Aleem Sheikh S/o Late Shri Shareef Khan Aged About 63 Years R/o Plot No. P - 4, Sector - 2, Agroha Colony, Agrasen Nagar, Raipur, Post And Tahsil Raipur, Police Staion D.D. Nagar, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Water Resources, Mahanadi Bhawan, Mantralaya, New Raipur, Police Station - Rakhi, District- Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. The Engineer-In-Chief Water Resources Department, Shivnath Bhawan, Atal Nagar, Naya Raipur, Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Divisional Joint Director Directorate Of Treasury Accounts And Pension, Raipur Division, Raipur, District-Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Tridib Bhattacharya, Advocate
For State	:	Mr. Chandresh Shrivatava, Dy. AG

Hon'ble Shri Justice P. Sam Koshy

Order on Board

14/08/2019

1. The grievance of all 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, all of them retired from service on 30th of June, 2018. Since they have retired from service w.e.f. 30.06.2018, they would be entitled for the annual increment that would be payable to them for the period between 1st of June, 2017 to 30th of

June, 2018 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, 2018 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. It is expected that respondents take an appropriate decision at the earliest preferably within an outer limit of six months.
5. With the aforesaid direction, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit