

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6571 of 2019**

M. H. Khan S/o Late Hazi Mohd. Aalim Khan, Aged About 64 Years
 Sewanivrit Karypalan Abhiyanta, Karyalay Mukhya Abhiyanta
 Minimata Bango Pariyojana Bilaspur Nivasi Aaykar Bhawan Ke Pass
 Pahali Gali Bharti Nagar Bilaspur Tehsil And District Bilaspur
 Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Sachiv, Samanya Prasasan Vibhag, Govt.
Karmchari Kalyan Sakha Mantralaya Mahanadi Bhawan Naya Raipur
Chhattisgarh
2. Pramukh Abhiyanta, Jal Sansadhan Vibhag Raipur Chhattisgarh
3. Sachiv, Chhattisgarh Sasan Jal Sansadhan Vibhag, Mantralay
Mahanadi Bhawan Naya Raipur Chhattisgarh
4. Pramukh Sachiv, Vitta Vibhag Chhattisgarh Sasan Mantralaya
Mahanadi Bhawan Naya Raipur Chhattisgarh
5. Mahalekhakar Kosh Lekha Awam Pension Chhattisgarh Raipur
District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Abdul Wahab Khan, Advocate
For State	:	Ms. Abhyunati Singh, P.L.
For Respondent No.5	:	Mr. Raj Kumar Gupta, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****28.08.2019**

1. The grievance of the petitioner 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 petitioner.

2. According to the petitioner, he retired from service on 30.06.2017. Since he has retired from service w.e.f. 30.06.2017, he would be entitled for the annual increment that would be payable to him for the period between 1st of July, 2016 to 30th of June, 2017 as the date of annual increment payable to the petitioner is 1st of July. Therefore, according to the counsel for the petitioner, while quantifying pension and other retiral dues, the annual increment which the petitioner became entitled for having worked till 30th June, 2017 has to be added to the last pay and other allowances.
3. Given the said facts and circumstances of the case, let the respondents consider the case of the petitioner for grant of one annual increment to the last salary which the petitioner has received for the purpose of quantifying pension and other retiral dues. While deciding the claim of the petitioner, 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. While taking a decision, the respondents would also take note of the recent circular of the State Govt. dated 11th June, 2019 issued in this context by the General Administration Department.
4. With the aforesaid direction, the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge