

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6358 of 2019**

Nakul Prasad Sharma S/o - Shri Lakhan Lal Sharma Aged About 62 Years
 Retired Lecturer, Higher Secondary School Jevra, Pata - Higher
 Secondary School Jevra, Vikash -Khand-Bemetara, District Bemetara
 Chhattisgarh, District : Bemetara, Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Secretary, Samanya Prashasan Vibhag, Government Employee Kalyan Shakha, Mantralaya Mahandi Bhawan, New Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Secretary, School Education Department, Mantralaya Mahanadi Bhawan, New Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Secretary, Panchayat, Gramin Vikash Awam Shram Vibhag, Mantralaya New Raipur Chhattisgarh, District : Raipur, Chhattisgarh
4. Mukhya Karyapalan Aadhikari, Jila Panchyat Bemetara, District Bemetara Chhattisgarh, District : Bemetara, Chhattisgarh
5. Jila Shikshya Aadhikari, Bemetara, District Bemetara Chhattisgarh, District : Bemetara, Chhattisgarh
6. Sambhagiya Sanyukta Sanchalak, Kosh Lekha Awam Pension Durg, District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- **Respondents**

For Petitioners	:	Mr. Abdul Wahab Khan, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****26.08.2019**

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 was retired from service on 30th of June,

2019. Since he was retired from service w.e.f. 30.06.2019, he would be entitled for the annual increment that would be payable to him for the period between 1st of June, 2018 to 30th of June, 2019 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, 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 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.
4. With the aforesaid direction, the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge