

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6534 of 2019**

Vinod Kumar Tiwari S/o Late Shri Mohanlal Tiwari, Aged About 64 Years, Retired Principal, Shas. Uchtar Madhyamik Shala Sakri, Nivasi- Gram Sakri, Thana Sakri, Jila Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Samanya Prashasan Vibhag, Shas. Karmachari Kalyan Shakha Mantralaya, Mahanadi Bhawan Naya Raipur Chhattisgarh
2. Secretary, School Shiksha Vibhag, Mantralaya Mahanadi Bhawan Naya Raipur Chhattisgarh
3. Jila Shiksha Adhikari Bilaspur, Jila Bilaspur, Chhattisgarh
4. Sambhagiya Sayukt Sanchalak, Kosh Lekha And Pension Bilaspur Sambhag, Jila – Bilaspur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Abdul Wahab Khan, Advocate
For State	:	Ms. Abhyunati Singh, P.L.

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 30.06.2016.

Since he has retired from service w.e.f. 30.06.2016, he would be entitled for the annual increment that would be payable to him for the period between 1st of July, 2015 to 30th of June, 2016 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, 2016 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