

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 6449 of 2019**

1. Laxminarayan Dixit S/o Late Krishna Lal Dixit, Aged About 64 Years Retired From The Post Of Agriculture Development Officer, Office Of Sub Divisional Officer (Agriculture), Katghora, District Korba Chhattisgarh
2. Narendra Kumar Shrivastava S/o Late Salik Ram Shrivastava, Aged About 63 Years, Retired From The Post Of Rural Agriculture Extension Officer, Office Of Sub Divisional Office (Agriculture), Bilaspur, District Bilaspur Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh
2. Secretary, Agriculture Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh
3. Director, Directorate Of Agriculture, Indrawati Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioners	:	Mr. C. Jayant K. Rao, Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****27.08.2019**

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, petitioner no.1 retired from service on 30.06.2017 and petitioner no.2 on 30.06.2019. Since they have retired from service w.e.f. 30.06.2017 & 30.06.2019 respectively, they would be entitled for the annual increment that would be payable to them for the period between 1st of July, 2016 to 30th of June, 2017 and 1st of July, 2018 to 30th of June, 2019 respectively as the date of annual increment payable to the petitioners is 1st of July. Therefore, according to the counsel for the petitioners, while quantifying pension and other retiral dues, the annual increment which the petitioners became entitled for having worked till 30th June, 2017 and 30th June, 2019 respectively 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 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