

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8210 of 2019**

Akambar Nath Patel S/o Gangadhar Patel Aged About 62 Years Retired Head Master, R/o Village Kodatarai, Tahsil Pussour, District Raigarh Chhattisgarh. **--- Petitioner**

Versus

1. State of Chhattisgarh through Secretary, Department of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District - Raipur Chhattisgarh.
2. The Accountant General, Government of Chhattisgarh, Raipur Chhattisgarh.
3. The Director, Directorate of Public Instructions, Chhattisgarh, Atal Nagar, Raipur Chhattisgarh.
4. The Joint Director, Treasury, Accounts and Pension, Bilaspur, Division, Bilaspur Chhattisgarh. **--- Respondents**

For the Petitioners : Mr. K. P. Sahu, Advocate

For the State/Respondents : Mr. Soumya Rai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board**14-10-2019**

1. The grievance of the petitioner in the present petition is for grant of benefit of one annual increment while fixing pension and other retiral dues payable to the petitioner.
2. According to the learned counsel for the petitioner, the petitioner retired from service on 30.06.2019. Since the petitioner retired from service w.e.f. 30.06.2019, they would be entitled for the annual increment that would be payable to them for the period between 1st of June, 2018 to 30th of June, 2019 as the date of annual increment payable to the petitioner is first 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 30.06.2019 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 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* decided on 15.09.2017 in W.P.No.15732 of 2017.
4. With the aforesaid direction, the writ petition stands disposed of.

Sd/-

GOUTAM BHADURI
JUDGE