

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8951 of 2019**

- Ramswarup Mehar S/o Late Shri Teekaram Mehar Aged About 63 Years R/o Gayatri Bhawan, Kauhakunda Pahad Mandir, Ward No. 25, Raigarh, Tahsil And District Raigarh Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Public Works Department Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh
2. State Of Chhattisgarh Through Secretary, General Administration Department, (Government Employee Welfare Branch) Mahanadi Bhawan New Mantralay, Atal Nagar, District Raipur Chhattisgarh
3. State Of Chhattisgarh Through Secretary, Finance Department Mahanadi Bhawan, Atal Nagar District Raipur Chhattisgarh
4. Engineer In Chief Public Works Department, North Block Sector 19 Nirman Bhawan Atal Nagar District Raipur Chhattisgarh
5. Executive Engineer Public Works Department (Building And Road) Raigarh Division Raigarh District Raigarh Chhattisgarh
6. The Joint Director Treasury, Account And Pension Bilaspur District Bilaspur Chhattisgarh

---- Respondents

For Petitioner : Shri VK Pandey, Advocate

For Respondents/State : Shri Priyank Rathi, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/11/2019**

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, the petitioner has retired from service on 30th of June, 2018. Since he has retired from service w.e.f. 30.06.2018, he would be entitled for the annual increment that would be payable to him for the period between 1st of July, 2017 to 30th of June, 2018 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, 2018 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 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/-

Goutam Bhaduri
Judge