

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8946 of 2019

Onkar Prasad Swarnkar S/o Shri Pyarelal Swarnkar Aged About 63 Years
R/o Boirdadar, Malidipa Ward No. 48, Raigarh, Tahsil And District Raigarh,
District : Raigarh, Chhattisgarh **--- Petitioner**

Versus

1. State of Chhattisgarh through Secretary, Revenue Department, Mahanadi Bhawan, Atal Nagar, District Raipur District : Raigarh, Chhattisgarh
2. State of Chhattisgarh through Secretary, General Administration Department, (Government Employee Welfare Branch) Mahanadi Bhawan, New Mantralay Atal Nagar District Raipur Chhattisgarh,
3. The Collector Raigarh District Raigarh Chhattisgarh
4. The Joint Director Treasury, Accounts and Pension Bilaspur District Bilaspur Chhattisgarh. **--- Respondents**

For the Petitioners : Mr. Vineet Kumar Pandey, Advocate

For the State/Respondents : Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

05-11-2019

1. The grievance of the petitioners 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 30.06.2018. Since the petitioner retired from service w.e.f. 30.06.2018, he would be entitled for the annual increment that would be payable to them for the period between 1st of June, 2017 to 30th of June, 2018 as the date of annual increment payable to the petitioners is of first 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 30.06.2018 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 1 to 3 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* 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