

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9203 of 2019**

- Shivilal Sidar S/o Pandit Sidar Aged About 68 Years Retired Lecturer, R/o At Post Village Basanpali, Post Putkapuri, Tahsil Pussore, District Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District Raipur, Chhattisgarh
2. Joint Director Treasury, Accounts And Pension, Bilaspur Division, Bilaspur, District Bilaspur, Chhattisgarh
3. District Education Officer Raigarh, District Raigarh, Chhattisgarh
4. Principal Government Higher Secondary School, Chaple, District Raigarh, Chhattisgarh

---- Respondents

For Petitioner : Shri Dhani Ram Patel, Advocate

For Respondents/State : Shri Amrito Das, Addl. AG

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****13/11/2019**

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 30.06.2013. Since the petitioner retired from service w.e.f. 30.06.2013, he would be entitled for the annual increment that would be

payable to him for the period between 1st of June, 2012 to 30th of June, 2013 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 30.06.2013 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 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* 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

Ashu