

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 10031 of 2019**

- Ganga Prasad Tiwari, S/o Vishnu Prasad Tiwari, Aged About 63 Years Retired Head Master, R/o Friends Colony, Telikot, Tahsil Kharsiya, 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 Petitioners	:	Shri K.P. Sahu, Advocate
For Respondents/ State	:	Shri Kapil Maini, Panel Lawyer
For Respondent No. 2	:	Shri R.K. Gupta, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****03/12/2019**

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 petitioner.
2. According to the petitioners, the petitioners 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 June, 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 petitioners 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 1 to 3 consider the case of the petitioners for grant of one annual increment to the last salary which the petitioners 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 and others* decided on 15.09.2017 in W. P. No. 15732 of 2017. The aforesaid exercise shall be carried out within an outer limit of six months from the date of receipt of a copy of this order.
4. With the aforesaid direction, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Jyoti