

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10424 of 2019

Vijay Shankar Dubey S/o Late D.N. Dubey, Aged About 65 Years Retired Assistant Sub-Inspector, R/o Mangli Pet, Lalmatiya Infront Of Sakar City, Koniya-Par Road, Sivni, District Sivni (Madhya Pradesh), District : Seoni, Madhya Pradesh
--- Petitioners

Versus

1. State of Chhattisgarh through the Secretary, Home Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
2. Director General of Police, Police Head Quarter, Sector-19 Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh,
3. Additional Director General of Police (Telecommunication) Police Head Quarter Chhattisgarh New Raipur, District : Raipur, Chhattisgarh
4. Assistant Inspector General of Police (Telecommunication), Police Head Quarter, Sector-19, Atal Nagar, Nawa Raipur, District Raipur (Chhattisgarh).
--- Respondents

For the Petitioner : Mr. Somkant Verma, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

10-12-2019

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 learned counsel for the petitioner, the petitioner retired from service on 30.06.2017. Since the petitioner retired from service w.e.f. 30.06.2017, he would be entitled for the annual increment that would be payable to him for the period between 1st of June, 2016 to 30th of June, 2017 as the date of annual increment payable to the petitioner is of 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 30.06.2017 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 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 off.

Sd/-

GOUTAM BHADURI
JUDGE