

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 10474 of 2019**

- Komal Prasad Patre S/o. Late Alen Das Patre Aged About 63 Years Retired Surveyor, Office Of Assistant Soil Conservation Officer, Bilaspur, District- Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Govt. of Chhattisgarh Through- Secretary, Agriculture Development And Formar Welfare And Bio-Technology Department, Mahanadi Bhawan, Atal Nagar, New Raipur, Chhattisgarh
2. Dy. Director Agriculture, Bilaspur, District- Bilaspur, Chhattisgarh

---- Respondents

For Petitioner : Shri Somkant Verma, Advocate

For Respondents/State : Shri Ravish Verma, GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****11/12/2019**

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 30.06.2019. Since the petitioner retired from service w.e.f. 30.06.2019, he would be entitled for the annual increment that would be payable to him for the period between 1st of June, 2018 to 30th of June, 2019 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 30.06.2019 has to be added to the last pay and other allowances also.

3. Learned State counsel do not dispute the fact brought to the notice of the Court by the petitioner.
4. 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* decided on 15.09.2017 in W.P.No.15732 of 2017.
5. With the aforesaid direction, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu