

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 309 of 2020**

- Nilmani Patel S/o Bhogilal Patel Aged About 70 Years Retired Upper Division Teacher, R/o Village Bade Aamakoni, Post Gobarsingh, Block Baramkela, 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
2. Joint Director Treasury, Accounts And Pension, Bilaspur, Division Bilaspur, District Bilaspur, Chhattisgarh.
3. District Education Officer, Raigarh District Raigarh, Chhattisgarh.
4. Block Education Officer, Baramkela Block Baramkela, District Raigarh, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Dhani Ram Patel, Advocate
For Respondents/ State	:	Shri Kapil Maini, P.L.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****15/01/2020**

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 petitioner, the petitioner has retired from service on 30th of June, 2012. Since he has retired from service w.e.f. 30.06.2012, he would be entitled for the annual increment that would be payable to him for the period between 1st of June, 2011 to 30th of June, 2012 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 petitioner became entitled for having worked till 30th June, 2012 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 and others* 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

Jyoti