

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 304 of 2020**

- Ashok Kumar Gupta S/o Late Chandrabhan Gupta Aged About 63 Years R/o Deepak Kirana Bauripara, Shikari Road Ambikapur District Surguja Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Principal Secretary Law And Legislative Affairs Department, Atal Nagar, Raipur Chhattisgarh.
2. District And Sessions Judge Surguja Ambikapur District Surguja Chhattisgarh.
3. The Joint Director Treasury, Accounts And Pension Surguja Division , Ambikapur Tehsil And District Surguja Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Nishi Kant Sinha, Advocate
For Respondents/ State	:	Shri Kunal Das, 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, 2019. Since he has 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 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