

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 440 of 2020

Basantlal Sahu S/o Late Shri Mithailal Sahu Aged About 66 Years R/o Jorapara Sarkanda, Near Sahid Avinash Sharma Garden, Bilaspur, Police Station Sarkanda, District Bilaspur, Chhattisgarh. **--- Petitioner**

Versus

1. The State of Chhattisgarh through the Secretary, Education Department Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. The District Education Officer Bilaspur, District Bilaspur, Chhattisgarh.
3. Block Education Officer Bilha, District Bilaspur, Chhattisgarh.
4. Joint Director Treasury And Account Pension, Bilaspur, District Bilaspur, Chhattisgarh. **---- Respondents**

For the Petitioner : Mr. Amit Kumar Sharma, Advocate

For the State/Respondents : Mr. Priyank Rathi, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20-01-2020

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 30.06.2016. 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, 2015 to 30th of June, 2016 as the date of annual increment payable to the petitioners 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 30.06.2016 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 have 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* 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**