

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 647 of 2020

1. Balaram Sahu S/o Late Shri Koduram Sahu Aged About 65 Years Retired Lecturer, Government Higher Secondary School Murmunda, Block-Dongargarh, Resident of Budhwaripara, Ward 15, Thana- Dongargarh, District- Rajnandgaon Chhattisgarh.
2. Gokul Prasad Sahu S/o Late Shri Aatmaram Sahu Aged About 65 Years Retired Head Master, Government Primary School Jamri Block Education Officer Office- Dongargarh, Resident of Village Jamri, Thana- Dongargarh, District- Rajnandgaon Chhattisgarh. **---- Petitioners**

Versus

1. State of Chhattisgarh Secretary, General Administrative Department, Government Employee Welfare Branch Mantralaya Mahanadi Bhawan, Naya Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Secretary School Education Department, Mantralaya Mahanadi Bhawan, Naya Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. District Education Officer Rajnandgaon, District- Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh
4. Block Education Officer Block- Dongargarh, District- Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh
5. Sambhagiya Sanyukt Sanchalak Kosh Lekha And Pension Durg Sambhag, District- Durg Chhattisgarh, District : Durg, Chhattisgarh **--- Respondents**

For the Petitioner : Mr. Abdul Wahab Khan, Advocate

For the State/Respondents : Mr. Kapil Maini, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29-01-2020

1. The grievance of the petitioners in the present petition is for grant of benefit of one annual increments while fixing pension and other retiral dues payable to the petitioners.
2. According to the learned counsel for the petitioners, the petitioners retired from service on 30.06.2016. Since the petitioner retired from service w.e.f. 30.06.2016, they would be entitled for

the annual increment that would be payable to them 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 petitioners, while quantifying pension and other retiral dues, the annual increment which the petitioners became entitled for having worked till 30.06.2019 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**