

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 969 of 2020

- Smt. Shyama Sharma W/o Shri Chandrakant Sharma Aged About 63 Years Retired Principal, Government Higher Secondary School, Sarona, Dharsiwa, District Raipur, R/o House No. 241, Near Aam Bagicha, Sundar Nagar, Raipur, District Raipur, Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, Chhattisgarh
2. Joint Director Accounts Treasury And Pension, Raipur Division, District Raipur, Chhattisgarh
3. District Education Officer District Raipur, Chhattisgarh
4. Principal Government Higher Secondary School Sarona, (Dharsiwa), District Raipur, Chhattisgarh

---- Respondents

For Petitioner : Shri S. K. Guha, Advocate

For Respondents/State : Shri Neeraj Pradhan, PL

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/02/2020

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, 2017. Since she has retired from service w.e.f. 30.06.2017, she would be entitled for the annual increment that would be payable to her for the period between 1st of July, 2016 to 30th of June, 2017 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, 2017 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 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. While taking a decision the respondents would also take note of the recent circular of the State Govt. dated 11th June, 2019 issued in this context by the General Administration Department.
4. With the aforesaid direction, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu