

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1704 of 2020**

- Bund Ram Patel S/o - Shri Motichand Patel Aged About 64 Years Retired Upper Division Teacher Government Middle School Bilaspur, Block Kharsiya, Presently Residence At Village Bilaspur Post Bhupdeopur District Raigarh Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary School Education Department, Mahanadi Bhawan, Atal Nagar Raipur, District Raipur Chhattisgarh,
2. The District Education Officer, District Raigarh Chhattisgarh
3. The Accountant General, Chhattisgarh Raipur Chhattisgarh
4. The Joint Director, Treasury Accounts And Pension Bilaspur, District Bilaspur Chhattisgarh
5. The Block Education Officer, Block Kharsiya, District Raigarh Chhattisgarh

---- Respondents

For Petitioner	:	Shri Anil Mourya, Advocate
For Respondents/ State	:	Shri Soumya Rai, P.L.
For Respondent No. 3	:	Shri Ashwani Shukla, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/03/2020**

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, 2018. Since he has retired from service w.e.f. 30.06.2018, he would be entitled for the annual increment that would be payable to him for the

period between 1st of June, 2017 to 30th of June, 2018 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, 2018 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. The aforesaid exercise shall be carried out within an outer limit of six months from the date of receipt of a copy of this order.
4. With the aforesaid direction, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Jyoti