

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2365 of 2020

- Alok Kumar Verma S/o Late P.N. Verma Aged About 62 Years Asst. Engineer, Public Health Engineering Department, Sub Division Kanker District North Baster R/o Sewata Shila Kung, Street 1 C Bhasker Path, New Adarsh Nagar, Durg Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, General Administration Department Mahanadi Bhawan Mantralaya, Naya Raipur Civil And Revenue District Raipur Chhattisgarh 490002.
2. Accountant General Giro Point Vidhan Shabha Road Raipur Chhattisgarh.
3. Joint Director Treasury, Account And Pension, Jagdalpur, Chhattisgarh
4. The Executive Engineer Public Health Engineering Department Sub Division Kanker District North Baster Chhattisgarh

---Respondents

For petitioner – Shri Barun Kumar Chakrabarty, Advocate.

For State - Shri Chandresh Shrivastava, Dy. A.G.

For Respondent No.2- Shri Raj Kumar Gupta, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

23/06/2020

Heard.

1. It is contended that since the petitioner is going to retire on 30/06/2020 he would be entitled for annual increment that will be payable to him in between the period 1/06/2019 to 30/06/2020 as the date of annual increment payable to the employee is 1st July. He would submit therefore while quantifying the pension and other retiral dues annual increment which the petitioner is entitled may be added.
2. Learned State counsel would submit that at present the petition is premature as the petitioner is going to retire on 30/06/2020 as of now the petitioner has not retired.
3. In the likewise petition one of the order which is placed on record Annexure P-4 for grant of annual increment was directed to be considered

for quantifying pension and other retiral dues taking into judgment passed by 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**. In the light of this, the petitioner since has not retired yet, the petitioner is given liberty to make a representation to the respondent No.1 claiming the entitlement of annual increment in between the period from 1/06/2019 to 30/06/2020. It is clarified that this court has not made any observation on merit to the entitlement of the petitioner. The State would be within their administrative domain to decide the entitlement of claim.

4. With the above observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE