

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2422 of 2020**

- Jitendra Nath Mistry S/o Late Panchanan Mistry Aged About 62 Years Hand Pump Technician Public Health Engineering Department, Sub Division Kanker District North Baster R/o Village And Post Jamgaon Tahsil Narayanpur District Kanker 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, District Kanker Chhattisgarh.
4. The Executive Engineer Public Health Engineering Department Sub Division Kanker District North Baster Chhattisgarh

---- Respondents

For Petitioner	:	Mr. B.K. Chakrabarty, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.
For Respondent No. 2	:	Mr. Rajkumar Gupta, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****25/06/2020**

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