

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2428 of 2020**

- K. C. Shrivastava S/o Late Krishna Sharan Shrivastava Aged About 68 Years R/o Street No. 07, New Aadarsh Nagar, Durt, District Durg, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary Water Resources Department Mahanadi Bhavan, Mantralya, Atal Nagar, Raipur, District Raipur, Chhattisgarh
2. Chief Engineer Mahanadi Godawari Kachhar, Raipur, District Raipur, Chhattisgarh
3. Divisional Joint Director Treasury, Account And Pension, Division Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Manish Upadhyay, Advocate
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For Respondents/State	:	Mr. Siddharth Dubey, Dy. G.A.
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Hon'ble Shri Justice Goutam Bhaduri**Order on Board****25/06/2020**

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 learned counsel for the petitioner, the petitioner was retired from service on 30th of June, 2011. Since he has retired from service w.e.f. 30.06.2011, he would be entitled for the annual increment that would be payable to him for the period between 1st of June, 2010 to 30th of June, 2011 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, 2011 has to be added to the last pay and other allowances also.

3. Given the said facts and circumstances of the case, let the respondent No. 2 consider the entitlement 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. The petitioner shall make representation to the respondent No. 2 within a period of four weeks. Thereafter, the respondent No. 2 may decide the said representation within a further period of eight weeks. While deciding the claim of the petitioner, the respondent No. 2 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.
4. With the aforesaid direction, the writ petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Vishakha