

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 100 of 2020**

1. M. R. Choudhary S/o Late Shri Masat Ram Choudhary Aged About 63 Years Retd. Development Extension Officer, Janpad Panchayat Saraipali, District Mahasamund Chhattisgarh
2. Puranchand Tripathi S/o Late Shri Sudarshan Tripathi Aged About 63 Years Retd. Development Extension Officer, Janpad Panchayat Basna, District Mahasamund Chhattisgarh
3. Pirit Ram Sahu S/o Shri Latel Sahu Aged About 63 Years Retd. Development Extension Officer, Janpad Panchayat Mahasamund District Mahasamund Chhattisgarh
4. Niranjana Nayak S/o Late Shri Barat Ram Nayak Aged About 62 Years Retd. Development Extension Officer, Janpad Panchayat Pithoura, District Mahasamund Chhattisgarh
5. Dharam Lal Nirmalkar S/o Late Shri Sunder Lal Nirmalkar Aged About 63 Years Retd. Internal Account And Taxation Officer, Janpad Panchayat Arang, District Raipur Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur District Raipur Chhattisgarh
2. Secretary Panchayat And Rural Development Department, Capital Complex, Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur District Raipur Chhattisgarh
3. Director Panchayat, Indirawati Bhawan, Atal Nagar, New Raipur District Raipur Chhattisgarh
4. Chief Executive Officer District Panchayat Mahasamund District Mahasamund Chhattisgarh
5. Chief Executive Officer District Panchayat Raipur District Raipur Chhattisgarh

---- Respondents

For Petitioners : Shri Sumit Shrivastava, Advocate

For Respondents/ State : Shri Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09/01/2020

1. The grievance of the petitioners 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 petitioners, the petitioners No. 1 to 3 & 5 have retired from service on 30th of June, 2018 and petitioner No. 4 has retired on 30th of June, 2019. Therefore, they would be entitled for the annual increment that would be payable to them for the respective period. Therefore, according to the counsel for the petitioner, while quantifying pension and other retiral dues, the annual increment which the petitioners became entitled for having worked till 30th June, 2018 and 30th of June, 2019 would 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 petitioners for grant of one annual increment to the last salary which the petitioners has received for the purpose of quantifying pension and other retiral dues. While deciding the claim of the petitioners, 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.
4. With the aforesaid direction, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge