

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5233 of 2020**

1. Laxman Singh Chandrakar S/o Late Shri Lal Singh Chandrakar Aged About 62 Years UDT, Govt. Gayabai Middle School, Durg, Tahsil And District Durg Chhattisgarh.
2. Anand Kumar Patel S/o Late Shri Pati Ram Patel Aged About 62 Years UDT, Govt. Middle School, Baghera, Durg, Tahsil And District Durg Chhattisgarh.
3. Gangu Ram Sahu S/o Late Shri Beer Singh Sahu Aged About 63 Years Retired Head Master, Govt. Middle School, Marra, Block Patan, Durg, Tahsil And District Durg Chhattisgarh.

---- Petitioners**Versus**

1. State Govt. Of Chhattisgarh Through The Secretary, School Education Department, Ministry Mahanadi Bhawan, P.S. Rakhi, New Raipur, Chhattisgarh.
2. District Education Officer Durg Chhattisgarh.

----Respondents

For Petitioners	:	Mr. Ajay Shrivastava, Advocate
For State	:	Mr. Amit Buxy, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****14/01/2021**

1. The grievance of the petitioners in the present petition is for grant of benefit of one annual increment while fixing pension and other retiral dues payable to the petitioners.
2. According to the learned counsel for the petitioners, the petitioners retired from service on 30.06.2020. Since the petitioners retired from service w.e.f. 30.06.2020, they would be entitled for the annual increment that would be payable to them for the period between 1st

of June, 2019 to 30th of June, 2020 as the date of annual increment payable to the petitioners is first of July. Therefore, according to the counsel for the petitioners while quantifying pension and other retiral dues, the annual increment which the petitioners became entitled for having worked till 30.06.2020 has to be added to the last pay and other allowances also.

3. State counsel has no objection.
4. 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 have 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 decided on 15.09.2017 in W.P. No.15732 of 2017.
5. With the aforesaid direction, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved