

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5281 of 2020**

Kesh Lal Chopde, S/o Shri Thanwar Singh Chopde, Aged About 65 Years Retired U D T, Government Middle School, Dhobedand, Block Dondi, District Balod Chhattisgarh.

---- Petitioner**Versus**

1. State Government Of Chhattisgarh, Through - The Secretary, School Education Department, Ministry, Mahanadi Bhawan, Police Station Rakhi, New Raipur Chhattisgarh.
2. District Education Officer, Dondi District Balod Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Ajay Shrivastava, Advocate
For State	:	Mr. Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****15.01.2021**

1. The grievance of the petitioner in the present petition is for grant of benefit of one annual increment while fixing pension and other retiral dues payable to the petitioner.
2. According to the learned counsel for the petitioner, the petitioner retired from service on 30.06.2017. Since the petitioner retired from service w.e.f. 30.06.2017, He would be entitled for the annual increment that would be payable to him for the period between 1st of July, 2016 to 30th of June, 2017 as the date of annual increment payable to the petitioner is first 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 30.06.2017 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 2 consider the case 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. While deciding the claim of the petitioner, 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