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**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR**

**BEFORE
HON'BLE SHRI JUSTICE MILIND RAMESH PHADKE**

ON THE 19th OF JANUARY, 2024

WRIT PETITION No. 1447 of 2024

BETWEEN:-

**ANURUDHA KUMAR DUBEY S/O SHRI CHANDRA
SHEKHAR DUBEY, AGED ABOUT 88 YEARS,
OCCUPATION: RETIRED OFFICIAL ASSISTANT GRADE
IST 89- DEENDAYAL NAGAR, GWALIOR M.P. (MADHYA
PRADESH)**

.....PETITIONER

(BY SHRI D.P. SINGH - ADVOCATE)

AND

- 1. THE MADHYA PRADESH MADHYA KSHETRA
VIDYUT VITRAN COMPANY LTD CHAIRMAN CUM
MANAGING DIRECTOR NISTHA PARISAR,
GOVINDURA, BHOPAL MADHYA PRADESH
(MADHYA PRADESH)**
- 2. GENERAL MANAGER (O AND M) MADHYA
KSHETRA VIDYUT VITRAN CO. LTD. CIRCLE AND
DISTRICT BHIND (MADHYA PRADESH)**
- 3. JOINT DIRECTOR TREASURY AND ACCOUNTANT
DIRECTORATE OF TREASURY AND ACCOUNTS
MOTIMAHAL, GWALIOR (MADHYA PRADESH)**
- 4. DISTRICT PENSION OFFICER DATIA (MADHYA
PRADESH)**

.....RESPONDENTS

(SHRI SUSHANT TIWARI - GOVERNMENT ADVOCATE FOR STATE)

.....
*This petition coming on for admission this day, the court passed the
following:*

ORDER

The present petition under Article 226 of the Constitution of India has

been preferred being aggrieved by the illegal and arbitrary action on the part of the respondent authority while not granting the benefit of one increment w.e.f. 01.07.2016 as the petitioner was superannuated on 30.06.2016.

2. At the outset, learned counsel for the petitioner placed reliance in the matter of **The Director (Admn. and HR) KPTCL and Ors. vs. C.P. Mundinamani and Ors. reported in Civil Appeal No.2471/2023 in SLP (c) No.6185/2020 dated 11.04.2023**, whereby this controversy has been put to rest and has been directed that even the retired employees would be entitled for grant of benefit of one increment w.e.f. 01.07.2016 even if the person has superannuated on 30.06.2016.

3 . This fact has not been controverted by Shri S.S. Kushwah - Government Advocate appearing for the respondents/State.

4. In light of the above judgment passed by the Apex Court, this petition is disposed of in similar terms and the respondents are, therefore, directed to revise the pension which is being granted to the petitioner within **three months** from the date of receipt of certified copy of this order.

5. With the aforesaid direction, the petition stands **disposed of**.

6. E-copy/Certified copy as per Rules/directions.

(MILIND RAMESH PHADKE)
JUDGE

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