IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 2nd OF FEBRUARY, 2024

WRIT PETITION No. 1623 of 2024

BETWEEN:-

1. **SODAN SINGH RAJPUT S/O SHRI KALU SINGH RAJPUT, AGED ABOUT 63 YEARS, OCCUPATION: RETIRED ASSISTANT TEACHER 312, PASHUPATINATH NAGAR, DISTRICT AGAR MALWA (MADHYA PRADESH)**

2. **BHAGIRATH SINGH BIJAPARI S/O GHASHIRAM BIJAPARI, AGED ABOUT 63 YEARS, OCCUPATION: RETIRED ASSISTANT TEACHER THAKUR SERI POST KANAD DISTRICT AGAR MALWA (MADHYA PRADESH)**

.....PETITIONERS

(SHRI K K KCHICHI APPEARED FOR PETITIONER.)

AND

1. **THE STATE OF MADHYA PRADESH SECRETARY MINISTRY OF SCHOOL EDUCATION DEPARTMENT VALLABH BHAWAN BHOPAL (MADHYA PRADESH)**

2. **D I R E C T O R DIRECTORATE OF PUBLIC INSTRUCTION (DPI) BHOPAL (MADHYA PRADESH)**

3. **DISTRICT EDUCATION OFFICER DEPARTMENT AGAR DISTRICT AGAR MALWA (MADHYA PRADESH)**

4. **DISTRICT TREASURY OFFICER TREASURY AND ACCOUNTS DEPARTMENT AGAR MALWA (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI KAPIL MAHANT, COUNSEL APPEARING ON BEHALF OF ADVOCATE GENERAL).

Signature Not Verified
Signed by: MONI RAJU
Signing time: 2/2/2024
5:24:37 PM

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

ORDER

By the instant petition, the petitioner is claiming that although they stood retired on 30/06/2022 and the annual increment was to be added on 1st of July of that year, but they were not granted the said benefit.

2. Learned counsel for the petitioners submits that the issue involved in the present case has already been settled by the Supreme Court recently in **Civil Appeal No.2471/2023 (The Director {Admn. and HR KPTCK and Ors. Vs. C.P. Mundinamani & Ors.)** wherein it has been held that benefit of annual increment which was to be added on 1st of July every year shall be paid to the employee who got retired on 30th of June of the said year, therefore, the present petitioner is also entitled to get the said benefit.

3. Considering the aforesaid and taking note of the judgment passed by Supreme Court in case of **C.P. Mundinamni (Supra)**, this petition is allowed, directing the respondents to grant the benefit of annual increment which was to be added with effect from 01/07/2018 and recalculate the benefit of retiral dues and pension and issue fresh PPO in favour of the petitioners within a period of three months from the date of submitting copy of this Court.

4. With the aforesaid, the petition stands **allowed**.

(SUBODH ABHYANKAR)
JUDGE

moni

Signature Not Verified
Signed by: MONI RAJU
Signing time: 2/2/2024
5:24:37 PM