IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PRANAY VERMA

ON THE 2nd OF FEBRUARY, 2024

WRIT PETITION No. 1626 of 2024

BETWEEN:-

RAM CHANDRA CHOUDHARY S/O SHRI KESHAR SINGH CHOUDHARY, AGED ABOUT 67 YEARS, OCCUPATION: RETIRED UPPER DIV. TEACHER R/O. B-98, KALANI BAG, DEWAS DISTRICT DEWAS (MADHYA PRADESH)

.....PETITIONER

(BY SHRI KRISHNAPAL SINGH KHICHI - ADVOCATE)

AND

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

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

3. **DISTRICT EDUCATION OFFICER DEWAS (MADHYA PRADESH)**

4. **DISTRICT TREASURY OFFICER, TREASURY AND ACCOUNTS DEPARTMENT DISTRICT DEWAS**

.....RESPONDENTS

(BY SHRI SHREY RAJ SAXENA - ADDL. ADV. GENERAL FOR STATE)

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

ORDER

Heard.

By the instant petition, the petitioner is claiming that although he stood retired on 30.06.2019 and the annual increment was to be added on 1st of July

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of that year, but he was not granted the said benefit.

2.Learned counsel for the petitioner submits that the issue involved in the present case has already been settled on **11th April, 2023** by the Supreme Court recently in **Civil Appeal No.2471 of 2023 (@ SLP (C) No.6185 of 2020)** [***The Director (Admn. and HR) KPTCK and Ors. v. 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 with arrears which was to be added with effect from 01.07.2019 and recalculate the benefit of retiral dues and pension and issue fresh Pension Payment Order (P.P.O.) in favour of the petitioner within a period of three months from the date of submitting copy of this Court's order.

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

(PRANAY VERMA)
JUDGE

SS/-

Signature Not Verified
Signed by: SHAILESH MAHADEV SUNDHDEVE
Signing time: 03-02-2024 13:58:07