

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10944 of 2024**

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Dharm Prakash, S/o Late Kuldeep Narayan, retired Professor of Chemistry,  
Patna University, R/o Bhagwat Nagar, Main Road, P.S.- Kumhrar, District-  
Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,  
Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar Patna.
3. The Director, Higher Education Govt. Of Bihar, New Secretariat, Patna.
4. The Vice-Chancellor, Patna University, Patna.
5. The Registrar, Patna University, Patna.
6. The Finance Officer, Patna University, Patna.
7. The Principal Science College, Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Binod Murari Mishra, Adv.   |
| For the Respondent/s | : | Mr. Madhusudan Rai, AC to SC-23 |
| For the P.U.         | : | Mrs. Archana Sinha, Sr. Adv.    |

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      23-04-2025                      Heard the parties.

2. The petitioner superannuated from the post of  
Professor on 30.06.2013 from Science College, Patna  
University, has approached this Court seeking a direction upon  
the concerned respondent to add one more increment in his last  
basic salary and accordingly fix his pension and pay the same  
along with the arrears thereof.

3. It is the contention of the petitioner that the Joint  
Secretary to the Government of India, Ministry of Finance



issued Office Memorandum dated 30.08.2008, which contends that in terms of the CCS (RP) Rules, 2008 a uniform date of increment has been provided which is 1<sup>st</sup> July of every year after implementation of the revised pay structure. Since the petitioner retired on 30.06.2013, he is also entitled to be paid basic salary and the pension calculated after adding one increment in the last basic salary. It is the contention of the petitioner that the issue posed before this Court has come up for consideration before the Apex Court in the case of **The Director (Admn. And HR) KPTCL & Ors. v. C.P. Mundinamani & Ors. [Civil Appeal No.2471 of 2023]**, where the Apex Court held that *the employees who have earned one annual increment on the last day of their services for rendering their services preceding one year from the date of retirement with good behaviour and efficiently are entitled to be granted one annual increment.* Reliance has also been placed on a Bench decision of this Court in the case of **Prof. (Dr.) Chandrawati Kumari and Another v. The State of Bihar and Others [C.W.J.C. No. 2496 of 2021]**, wherein the learned Court has extended the benefit of one increment, in the identical facts, to the petitioners of the afore-noted writ petition.

4. Learned Advocate for the State and the Learned



Advocate for the University have submitted that the claim of the petitioner is required to be examined at the level of the concerned respondent and if the issue has already been set at rest, the petitioner shall also be entitled to the identical relief(s) as has been granted to the identically situated persons.

5. Considering the fair submissions made by the learned Advocate for the University and the State, the writ petition stands disposed off with a direction the respondents no.2 and 3 to consider the claim of the petitioner for adding one increment in his last basis salary and extending the benefit thereof, preferably within a period of twelve weeks' from today.

6. Suffice it to observe that in case the claim of the petitioner finds admissible in view of the judgments rendered by the Apex Court in **The Director (Admn. And HR) KPTCL** (supra) and the learned co-ordinate Bench of this Court in **Prof. (Dr.) Chandrawati Kumari** (supra), identical relief(s) must be accorded to the petitioner within the period stipulated.

(Harish Kumar, J)

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