IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA

ON THE 7th OF AUGUST, 2023

WRIT PETITION No. 5196 of 2020

BETWEEN:-

1. **GHANSHYAM SARATHE S/O SHRI NARBADA PRASAD SARATHE, AGED ABOUT 62 YEARS, OCCUPATION: RETD. GOVT. EMPLOYEE R/O. HIG 164, PHASE-5 HOUSING BOARD COLONY AYODHYANAGAR OPP. POOJA CONVENT SCHOOL (MADHYA PRADESH)**

2. **BRIJ BALLAB GUTPA S/O SHRI M.L GUPTA, AGED ABOUT 62 YEARS, OCCUPATION: RETD. GOVT. EMPLOYEE A-178 NEW MINAL RESIDENCY JK ROAD (MADHYA PRADESH)**

3. **MADHU SOODAN PACHOURI S/O SHRI RADHA BALLABH PACHOURI, AGED ABOUT 62 YEARS, OCCUPATION: RETD. GOVT. EMPLOYEE F-3/604 GLOBUR GREEN ACRES COMPLEX AIRPORT ROAD LALGHATI (MADHYA PRADESH)**

4. **SANTOSH KUMAR AGRAWAL S/O SHRI RAMAVTAR AGRAWAL, AGED ABOUT 62 YEARS, OCCUPATION: RETD. GOVT. EMPLOYEE NEAR NEW BUS STAND OPP. KACHHA KADWA DHARMASHALA (MADHYA PRADESH)**

.....PETITIONERS

(BY SHRI ADITYA NARAYAN SHUKLA - ADVOCATE)

AND

1. **THE STATE OF MADHYA PRADESH THR ITS PRINCIPAL SECRETARY ENERGY DEPT. VALLABH BHAWAN, BHOPAL (MADHYA PRADESH)**

2. **M.P. POWER MANAGEMENT COMPANY LIMITED THORUGH CHAIRMAN CUM MANAGING D I R E C T O R SHAKTI BHAWAN RAMPUR JABALPUR (MADHYA PRADESH)**

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3. MADHYA KSHETRA VIDYUT VITRAN CO. LTD. THROUGH MANAGING DIRECTOR BIJLI NAGAR COLONY NISHTHA PARISAR GOVINDPURA BHOPAL (MADHYA PRADESH)

.....RESPONDENTS

(BY MS.SUPRIYA SINGH - PANEL LAWYER)

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

ORDER

By the instant petition, the petitioners are claiming that although they stood retired on 30.06.2017 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} KPTCL 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 the Supreme Court in case of ***C.P. Mundinamani (supra)***, this petition is allowed directing the respondents to grant the benefit of annual increment, which was to be added with effect from 01.07.2022 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 order.

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

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(G.S. AHLUWALIA)
JUDGE

TG/-

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