THE HIGH COURT OF MADHYA PRADESH
WP-632-2020
(Radha Mohan Sharma Vs. State of M.P. and others)

Gwalior, Dated : 10-01-2020

Shri Brajesh Sharma, counsel for the petitioner.

Shri S.N. Seth, Government Advocate for the State.

This petition under Article 226 of the Constitution of India has been filed seeking the following relief:-

> "(i) The respondents be directed to extend the benefit of regular annual increment to the petitioner which fell due to him on 01.07.2018 and accordingly further direct the respondents to revise and re-fix the pension of the petitioner extending the benefit of increment and make payment of arrears so accumulated along with the interest of the rate of 8% till realization."
>
> (ii) That, may extend any other relief in the nature of issuing the writ of mandamus order or direction in the facts and circumstances of the case doing justice in the matter.
>
> (iii) Cost of the petition may also be awarded."

It is submitted by the counsel for the petitioner that annual increment fell due on 01.07.2018 whereas the petitioner stood retired on 30.06.2018 and, accordingly, the case is covered by the order passed by the coordinate Bench of this Court in **W.P. No. 18030/2019 (Rajendra Prasad Tiwari Vs. State of M.P.)** (Principal Bench).

Per contra, the petition is opposed.

Heard the learned counsel for the parties.

It is clear from the facts mentioned in the order passed by the

coordinate Bench of this Court in the case of **Rajendra Prasad Tiwari** (supra), the petitioner therein had retired on 30.06.2015, whereas the next increment had become due on 01.07.2015. The facts of the said case squarely covers the case of the present petitioner.

Accordingly, this petition is **disposed of** in the light of the order passed by the coordinate Bench of this Court in case of **Rajendra Prasad Tiwari** (supra).

(G.S. Ahluwalia)
Judge

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