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WP-31043-2024

IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA

&amp;

HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI

ON THE 15<sup>th</sup> OF OCTOBER, 2024WRIT PETITION No. 31043 of 2024*SUGAR SINGH RAJPUT AND OTHERS**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

*Shri Arpan Jain, learned counsel for the petitioner.*

*Shri Sudeep Bhargava, learned Deputy Advocate General for the  
respondent / State.*

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ORDER

*Per. Justice Vivek Rusia*

The petitioners have filed the present petition under Article 226 of the Constitution of India for issuance of an appropriate writ, order or direction, directing the respondents to grant him annual increment fell due on 01.07.2023, 01.07.2010 and 01.07.2023 respectively. The petitioners retired from service on 30.06.2023, 30.06.2010 and 30.06.2023 respectively after attaining the age of superannuation.

02. Learned counsel for the petitioner contended that the issue involved in this case has already been settled on 11.04.2023 by the Supreme Court recently in the case of *Director (Admn. & HR) KPTCL & Others v/s C.P. Muddinamani & Others [Civil Appeal No.2471 of 2023 @ SLP (C)*



*No.6185 of 2020*] reported in 2023 SCC OnLine SC 401, wherein it has been held that the benefit of annual increment which was to be added on 1<sup>st</sup> of July every year shall be paid to the employee who got retired on 30<sup>th</sup> of June of the said year, therefore, the present petitioner is also entitled to get the aforesaid benefit.

03. Considering the aforesaid and taking note of the judgment passed by Supreme Court in case of *C.P. Muddinamani (supra)*, the respondents are directed to grant the benefit of annual increment which was to be added with effect from 01.07.2023, 01.07.2010 and 01.07.2023 respectively 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 order. Since there is delay on the part of petitioner No.2 in approaching this Court, therefore, he shall be entitled to arrears with interest only for three years before the date of filing of the present writ petition.

04. With the aforesaid, Writ Petition stands allowed.

(VIVEK RUSIA)  
JUDGE

(BINOD KUMAR DWIVEDI)  
JUDGE