

1
**IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE**

**BEFORE
HON'BLE SHRI JUSTICE VIVEK RUSIA**

ON THE 29th OF JANUARY, 2024

WRIT PETITION No. 1832 of 2024

BETWEEN:-

**GHANSHYAM DIXIT S/O SHRI RAJARAM DIXIT, AGE: 63
YEARS, OCCUPATION: PENSIONER, R/O: 1, MIG, LAXMI
NAGAR COLONY, UJJAIN, DISTRICT UJJAIN (MADHYA
PRADESH)**

.....PETITIONER

(BY SHRI SANTOSH PANDEY - ADVOCATE.)

AND

- 1. THE STATE OF MADHYA PRADESH, THROUGH ITS
PRINCIPAL SECRETARY, FOREST DEPARTMENT,
VALLABH BHAWAN, BHOPAL (MADHYA
PRADESH)**
- 2. PRINCIPAL CHIEF CONSERVATOR OF FOREST,
DEPARTMENT OF FOREST, VAN BHAWAN, TULSI
NAGAR, BHOPAL (MADHYA PRADESH)**
- 3. CHIEF CONSERVATOR OF FOREST, UJJAIN
CIRCLE, UJJAIN (MADHYA PRADESH)**
- 4. DIVISIONAL FOREST OFFICER, FOREST DIVISION
UJJAIN, UDAYAN MARG, UJJAIN (MADHYA
PRADESH)**
- 5. DISTRICT PENSION OFFICER, UJJAIN, DISTRICT
UJJAIN (MADHYA PRADESH)**
- 6. DISTRICT TREASURY OFFICER, DISTRICT
TREASURY, UJJAIN, DISTRICT UJJAIN (MADHYA
PRADESH)**

.....RESPONDENTS

(BY SHRI SUDHANSHU VYAS - ADVOCATE.)

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

following:

ORDER

By the instant petition, the petitioner is claiming that although he stood retired on 30.06.2023 and the annual increment was to be added on 1st of July 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 which was to be added with effect from 01.07.2023 and recalculate the benefit of retiral dues and pension and issue fresh Pension Payment Order (P.P.O.) in favour of the petitioner (if P.P.O. has already been issued) 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.

(VIVEK RUSIA)
JUDGE