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

**BEFORE  
HON'BLE SHRI JUSTICE SUBODH ABHYANKAR**

**ON THE 21<sup>st</sup> OF FEBRUARY, 2024**

**WRIT PETITION No. 3963 of 2024**

**BETWEEN:-**

**KISHORE KUMAR JAIN S/O NEMICHAND JAIN, AGED  
ABOUT 80 YEARS, OCCUPATION: RETIRED GOVT.  
EMPLOYEE R/O GANDHI CHOWK NAGRI TEHSIL  
DALODA DISTT.MANDSAUR (MADHYA PRADESH)**

**.....PETITIONER**

***(BY SHRI HARDIK MAHESHWARI, ADVOCATE)***

**AND**

- 1. THE STATE OF MADHYA PRADESH PRINCIPAL  
SECRETARY SCHOOL EDUCATION DEPARTMENT  
VALLABH BHAWAN BHOPAL (MADHYA PRADESH)**
- 2. STATE OF MADHYA PRADESH THROUGH  
COMMISSIONER M.P. GOVERNMENT PUBLIC  
EDUCATION DIRECTORATE, NEAR CHETAK  
BRIDGE GAUTAM NAGAR, BHOPAL (MADHYA  
PRADESH)**
- 3. STATE OF MADHYA PRADESH THROUGH  
DISTRICT EDUCATION OFFICER EDUCATION  
DEPARTMENT SUSHASHAN BHAVAN MANDSAUR  
(MADHYA PRADESH)**
- 4. STATE OF MADHYA PRADESH THROUGH  
DISTRICT TREASURY OFFICER SUSHASHAN  
BHAVAN MANDSAUR (MADHYA PRADESH)**
- 5. STATE OF MADHYA PRADESH THROUGH  
DISTRICT PENSION OFFICER SUSHASHAN  
BHAVAN MANDSAUR (MADHYA PRADESH)**

**.....RESPONDENTS**

***(BY SHRI AMAY BAJAJ, G.A./P.L.)***

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*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 31/12/2006 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 by the Supreme Court recently in Civil Appeal No.2471/2023 (*The Director {Admn. and HR KPTCK 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 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 01/01/2007 and recalculate the benefit of retiral dues and pension and issue fresh PPO in favour of the petitioner within a period of three months from the date of submitting copy of this Court.

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

(SUBODH ABHYANKAR)  
JUDGE

krjoshi