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WP-25867-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 11th OF AUGUST, 2025

WRIT PETITION No. 7221 of 2025

DHEER SINGH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance

Shri Priyank Choubey, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WRIT PETITION No. 24472 of 2025

ANWAR MOHAMMAD

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Awadhesh Kumar Singh, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WITH

WRIT PETITION No. 25865 of 2025

SHRI GANESH KUNDE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Vineet Mishra, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.



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WP-25867-2025

WRIT PETITION No. 25867 of 2025*SMT. LATA SONKHARE**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

Appearance:*Shri Vineet Mishra, learned counsel for the petitioner.**Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.*

WRIT PETITION No. 25944 of 2025*RAJENDRA KUMAR TELANG**Versus**THE STATE OF MADHYA PRADESH THROUGH ITS DIRECTOR
ANIMAL HUSBANDRY AND DAIRY DEPARTMENT AND OTHERS*

Appearance:*Shri Shakti Kumar Soni, learned counsel for the petitioner.**Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.*

WRIT PETITION No. 27335 of 2025*SANTOSH KUMAR KAURAV**Versus**STATE OF MP. AND OTHERS*

Appearance:*Shri Rizwan Khan, learned counsel for the petitioner.**Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.*

WRIT PETITION No. 27341 of 2025*KAMLESHWAR PRASAD TRIPATHI**Versus**THE STATE OF MADHYA PRADEHS AND OTHERS*

Appearance:*Shri Rizwan Khan, learned counsel for the petitioner.**Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.*

WRIT PETITION No. 27746 of 2025



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WP-25867-2025

YASHIN MOHD. QURASHI*Versus***THE STATE OF MADHYA PRADESH AND OTHERS**

Appearance:*Shri Shakti Kumar Soni, learned counsel for the petitioner.**Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.*

WRIT PETITION No. 28509 of 2025**MAHESH KUMAR GARHEWAL***Versus***THE STATE OF MADHYA PRADESH AND OTHERS**

Appearance:*Ms. Aishwarya Sahu, learned counsel for the petitioner.**Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.**Shri Sandeep K. Shukla, learned counsel for the respondent nos.2 and 3.*

WRIT PETITION No. 28830 of 2025**ZIBRAIL KHAN***Versus***MADHYA PRADESH HOUSING AND INFRASTRUCTURE
DEVELOPMENT BOARD AND OTHERS**

Appearance:*Shri Abhinav Shrivastava, learned counsel for the petitioner.**Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.*

WRIT PETITION No. 28921 of 2025**SANDHYA BHIDE***Versus***THE STATE OF MADHYA PRADESH AND OTHERS**

Appearance:*Shri Shakti Kumar Soni, learned counsel for the petitioner.**Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.*

WRIT PETITION No. 28924 of 2025



KISHORI LAL PATEL
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Shakti Kumar Soni, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.
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WRIT PETITION No. 29023 of 2025

ANIL KUMAR GUPTA
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Ashish Vishwakarma, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.
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WRIT PETITION No. 29027 of 2025

SHYAM SUNDAR DIXIT
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Ashish Vishwakarma, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.
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WRIT PETITION No. 29031 of 2025

ASKOK KUMAR PATEL AND OTHERS
Versus
THE STATE OF MADHYA PRADESH

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Appearance:

Shri Ashish Vishwakarma, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.
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WRIT PETITION No. 29037 of 2025

ASHOK KUMAR JAISWAL
Versus

***THE STATE OF MADHYA PRADESH AND OTHERS*****Appearance:**

Shri Ashish Vishwakarma, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WRIT PETITION No. 29075 of 2025

MAHESH PAL SINGH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Shankar Dayal, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WRIT PETITION No. 29077 of 2025

SURESH PRASAD CHAKRAWARTI

Versus

THE STATE OF MP AND OTHERS

Appearance:

Shri Shakti Kumar Soni, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WRIT PETITION No. 29248 of 2025

NAND KISHORE MISHRA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Devesh Bhojne, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WRIT PETITION No. 29324 of 2025

NARAYAN PRASAD NAYAK THROUGH LRS SIYA BAI NAYAK

Versus

***THE MADHYA PRADESH POORV KSHETRA VIDYUT VITARAN
COMPANY LTD. AND OTHERS***



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Appearance:

Shri Amit Kumar Bajpai, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

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WRIT PETITION No. 29777 of 2025

ASHOK KUMAR RAGHUVANSI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....

Appearance:

Shri Ashish Vishwakarma, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

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WRIT PETITION No. 29884 of 2025

SHAHJAD KHAN

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Ajeet Kumar Singh, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

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WRIT PETITION No. 29889 of 2025

B.P. DWIVEDI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Ravendra Shukla, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

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WRIT PETITION No. 29988 of 2025

JANKI PRASAD PARASHAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:



Shri Akhilesh Singh, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WRIT PETITION No. 30117 of 2025

MIR MAZHAR ALI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Pramod Singh Tomar, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WRIT PETITION No. 30230 of 2025

BUDH SINGH SHRIVAS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Sudeep Singh Saini, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WRIT PETITION No. 30274 of 2025

SAMSHAD ALI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Aniruddha Prasad Pandey, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WRIT PETITION No. 30275 of 2025

DUDHNATH SHUKLA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Aniruddha Prasad Pandey, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.



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WRIT PETITION No. 30286 of 2025

SUKH LAL YADAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Rajneesh Gupta, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

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WRIT PETITION No. 30345 of 2025

NARAYAN SHARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Abhinav Dubey, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

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WRIT PETITION No. 30349 of 2025

JAYRAM KEWAT

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Abhinav Dubey, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

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WRIT PETITION No. 30353 of 2025

SURENDRA KUMAR SARATHE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Abhinav Dubey, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

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WRIT PETITION No. 30457 of 2025



HIRALAL SINGH

Versus

THE MANAGING DIRECTOR AND OTHERS

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Appearance:

Shri Bhojram Vijaywar, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.
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WRIT PETITION No. 30474 of 2025

MADHUSUDAN SERIWALA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Ashok Kumar Gupta, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.
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WRIT PETITION No. 31060 of 2025

HIRAN SINGH MARKAM

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Amit Kumar Tiwari, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.
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WRIT PETITION No. 31061 of 2025

SMT. PUSHPA SHUKLA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Amit Kumar Tiwari, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.
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WRIT PETITION No. 31221 of 2025

ARUN KUMAR GUPTA

Versus



THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Manoj Kumar Mishra, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WRIT PETITION No. 31245 of 2025

NARBADA PRASAD PANDEY

Versus

MUNICIPAL CORPORATION BHOPAL AND OTHERS

Appearance:

Shri Anoop Kumar Shrivastava, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WRIT PETITION No. 31267 of 2025

RAKESH KUMAR AGRAWAL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Abhishek Verma, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

WRIT PETITION No. 32026 of 2025

AJAY KUMAR GOUR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Jagdish Sakalle, learned counsel for the petitioner.

Shri B.D. Singh, learned Deputy Advocate General for the respondent/State.

ORDER

Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice

In all these writ petitions, a common question of fact and law is involved and therefore, they are heard analogously and disposed of by this



common order.

2. A common grievance of the petitioners in this batch of writ petitions is with regard to grant of annual increment which became due on completion of one year's service before attaining the age of superannuation. In some of the cases, the petitioners or the employees whose widows/legal heirs have approached this Court, have retired from service on 30th June and while in others, they have retired on 31st December of the year of their superannuation. It is their case that they have not been extended the benefit of increment which otherwise became due to them on 1st July of the same year or 1st January of the next year, as the case may be. Hence, these petitions have been filed.

3. Learned counsel for the petitioners have placed reliance upon the judgment of the Supreme Court in the case of *Director (ADMN) and HR KPTCL v. C.P. Mundinamani, 2023 SCC OnLine SC 401*, wherein it is held that the entitlement to receive annual increment crystallises when the Government servant completes a requisite length of service with good conduct and becomes payable on the succeeding day. The Supreme Court further held that annual increment earned on the last day of service for rendering good service preceding one year from the date of retirement with good behaviour and efficiency was liable to be paid to the employees.

4. Reference may be had to the circular dated 15.03.2024 issued by the Finance Department of the State of Madhya Pradesh, wherein all departments have been directed to grant annual increment to all the employees who have retired on 30th June / 31st December with regard to



annual increment that became payable on 1st July or 1st January, as the case may be. Hence, it is prayed that the respondents may be directed to extend the pensionary benefits to the petitioners after adding annual increment from the due date along with arrears and interest thereon within a stipulated time.

5. Learned counsel for the State submits that the issue involved in the present petitions is covered by the said Circular and the same is being implemented and the cases are being scrutinized and processed accordingly.

6. Be that as it may, since petitioners/employees superannuated from service on 30th June or 31st December as the case may be, they are entitled to get the annual increment on the succeeding day of their retirement i.e. on 1st of July or 1st of January, as the case may be.

7. That this Court following the judgment of the Supreme Court in the case of *Rushibhai Jagdishchandra Pathak Vs. Bhavnagar Municipal Corporation, 2022 SCC Online SC 641* had noticed that as there was delay in approaching the Court, the benefit of arrears was restricted to a period of three years immediately preceding the filing of the petition. However, the Supreme Court in respect of *C.P. Mundinamani (supra)* has clarified by order dated 06.09.2024 as further modified vide order dated 20.02.2025 in Miscellaneous Application (Diary) No.2400/2024 in Civil Appeal No. 3933/2023 titled *Union of India & Another Vs. M. Siddaraj* as under:

“(a). The judgment dated 11.04.2023 will be given effect to in case of third parties from the date of the judgment, that is, the pension by taking into account one increment will be payable on and after 01.05.2023. Enhanced pension for the period prior to 31.04.2023 will not be paid.

(b) For persons who have filed writ petitions and



succeeded, the directions given in the said judgment will operate as res judicata, and accordingly, an enhanced pension by taking one increment would have to be paid.

(c) The direction in (b) will not apply, where the judgment has not attained finality, and cases where an appeal has been preferred, or if filed, is entertained by the appellate court.

(d) In case any retired employee filed an application for intervention/impleadment/writ petition/original application before the Central Administrative Tribunal/High Courts/this Court, the enhanced pension by including one increment will be payable for the period of three years prior to the month in which the application for intervention/ impleadment/ writ petition/ original application was filed.”

8. The Hon'ble Apex Court has held that the clause (d) will not apply to the retired Government employees who filed the petition/original application before the High Court or Tribunal after the judgment passed in case of *Union of India and another V/s M. Siddaraj (passed on 19.05.2023 in Civil Appeal No.3933/2023)* and in such cases clause (a) will apply. It has also been held that it will be open to any person aggrieved by non-compliance of the aforesaid directions to approach the concerned authorities in the first instance and if required, the administrative Tribunal or the High Court as per law. The Government has been directed to examine the cases of the petitioner in terms of the aforesaid order passed on 20.02.2025 and comply with the same expeditiously.

9. In this view of the matter, in the cases where there is a delay by the petitioners in approaching the Court, the benefit of arrears shall be restricted and shall be payable only w.e.f. 01.05.2023 and in other cases, the arrears shall be payable from the date of their retirement, along with interest @ 7% per annum as directed by the Supreme Court in the case of *M. Siddaraj*



(supra).

10. Accordingly, the respondents are directed to grant the annual increment to the petitioners which became due to them on 1st of July of the year of their superannuation or 1st of January of the succeeding year, as the case may be, with all consequential benefits in the above manner. Further, it is directed that the amount accrued in favour of the petitioners on account of annual increment be paid to them within a period of six weeks in accordance with the order of the Supreme Court dated 20.02.2025 passed in the case of *M. Siddaraj (supra)*.

11. In view of the foregoing, all these writ petitions are disposed of in the above terms.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

P/-