

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 31st OF OCTOBER, 2025

WRIT PETITION No. 12159 of 2025

SANTOSH KUMAR SHUKLA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Dinesh Tripathi, learned counsel for the petitioners.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.
.....

WITH

WRIT PETITION No. 24291 of 2025

SMT PREMALATA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Awdhesh Kumar Singh, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.
.....

WRIT PETITION No. 26931 of 2025

RAJESH DUBEY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Ashish Vishwakarma, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.
.....

WRIT PETITION No. 31391 of 2025*KRISHNA KUMAR AGRAWAL**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

Appearance:*Shri Atul Choudhary, learned counsel for the petitioner.**Shri S.S. Chouhan, learned Government Advocate for the respondent/State.*

WRIT PETITION No. 32292 of 2025*MOLE SINGH**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

Appearance:*Shri Abhinav Dubey, learned counsel for the petitioner.**Shri S.S. Chouhan, learned Government Advocate for the respondent/State.*

WRIT PETITION No. 32297 of 2025*RAJENDRA YADAV**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

Appearance:*Shri Abhinav Dubey, learned counsel for the petitioner.**Shri S.S. Chouhan, learned Government Advocate for the respondent/State.*

WRIT PETITION No. 37234 of 2025*SMT. AMIRAN MARAVI**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

Appearance:*Shri Ajeet Kumar Singh, learned counsel for the petitioner.**Shri S.S. Chouhan, learned Government Advocate for the respondent/State.*

WRIT PETITION No. 37837 of 2025

RAM KHELAWAN PRAJAPATI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Shakti Kumar Soni, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 37839 of 2025

SMT ASHARFI GUPTA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Shakti Kumar Soni, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 38031 of 2025

RAMDAYAL KORI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Rajneesh Gupta, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 38119 of 2025

DR. SUNILA GARDE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Rahul Mishra, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 38248 of 2025

PURUSHOTTAM LAL HARDAHA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Ajeet Kumar Singh, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 38271 of 2025

RAMBABU SHUKLA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Akash Choudhary, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 38316 of 2025

SHIV PRASAD SAHU

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Ashish Kumar Kurmi, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 38322 of 2025

SHRI KRISHNAKANT TIWARI

Versus

M.P. PURVA KSHETRA VIDHUT VITRAN CO. LTD AND OTHERS

.....
Appearance:

Shri Ashish Kumar Kurmi, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 38350 of 2025

RAJENDRA PRASAD AND OTHERS

Versus

DIVISIONAL RAILWAY MANAGER AND OTHERS

.....

Appearance:

Shri Dharendra Kumar Khare, learned counsel for the petitioners.

Shri S.S. Chouhan, learned Government Advocate and Shri Shrikrishna Sharma, learned counsel for the respondents.

WRIT PETITION No. 38415 of 2025

SMT. LILA RAI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Akash Choudhary, learned counsel for the petitioners.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 38483 of 2025

RAVI PRAKASH SHARMA

Versus

STATE OF M.P. THROUGH PRINCIPAL SECRETARY AND OTHERS

Appearance:

Shri Amit Kumar Soni, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 38567 of 2025

DEOKARAN BEL WANSHI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Akash Choudhary, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 38660 of 2025

VINOD KUMAR JAIN

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Adarsh Patel, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 39044 of 2025

RAJENDRA KUMAR VISHWAKARMA

Versus

DIVISIONAL RAIL WAY AND OTHERS

Appearance:

Shri Ashish Kumar Kurmi, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate and Shri Shrikrishna Sharma, learned counsel for the respondents.

WRIT PETITION No. 39064 of 2025

MAHESH KUMAR SINGH RAJPUT

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Hemant Kumar Bhannarwar, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 39179 of 2025

MAHA SINGH DAHERIYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Ajeet Kumar Singh, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 39372 of 2025

VERSHA MISHRA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Bhole Nath Sharma, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 39522 of 2025

PYRE LAL PATEL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....

Appearance:

Shri Suresh Prasad Khare, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 39651 of 2025

RAM BHILASH CHATURVEDI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....

Appearance:

Shri Ajeet Kumar Singh, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 39712 of 2025

BALIRAM RAI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....

Appearance:

Shri Bhupendra Kumar Shukla, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 39785 of 2025

RAJIAK KHAN

Versus

THE DIRECTOR EMPLOYEE STATE AND OTHERS

.....

Appearance:

Shri Rajesh Kumar Sahu, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 39966 of 2025*DR DAVINDER KAUR MADAN**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

Appearance:

Shri Prateek Jain, learned counsel (through VC) and Shri Ayur Jain, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 40440 of 2025*VIMAL PRAKASH SHUKLA**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

Appearance:

Shri Rajendra Pratap Singh, learned counsel for the petitioners.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 40471 of 2025*MOHB.TAHIR ALI**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

Appearance:

Shri Ram Suphal Verma, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 40482 of 2025*PRATAP ROHIT**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

Appearance:

Shri Rajneesh Gupta, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 40548 of 2025

SMT RAMWATI UIKEY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Anirudhdha Prasad Dubey, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.
.....

WRIT PETITION No. 40662 of 2025

NARMADA PRASAD AHIRWAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Pravesh Kumar Gupta, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.
.....

WRIT PETITION No. 40708 of 2025

SANTOSH KUMAR DUBEY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Hemant Kumar Bhannarwar, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.
.....

WRIT PETITION No. 40709 of 2025

RAMPRASAD SHARMA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Satish Kumar Dixit , learned counsel for the petitioners.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.
.....

WRIT PETITION No. 40710 of 2025

RAKESH KUMAR JUJHAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Bhole Nath Sharma, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 40778 of 2025

SHRI RAMSIYA SHARMA

Versus

***MADHYA PRADESH MADHYA KSHETRA VIDYUT VITRAN
COMPANY LIMITED AND OTHERS***

Appearance:

Shri Rajneesh Kumar Verma, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 40819 of 2025

SUKHLAL CHAUREY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Shailesh Tiwari, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 40998 of 2025

SATISH CHANDRA AND OTHERS

Versus

UNION OF INDIA AND OTHERS

Appearance:

Shri Santosh Sahu, learned counsel for the petitioners.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 41006 of 2025

ROOP SINGH GOND

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Brajendra Singh Kushwaha, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 41094 of 2025

BHAGWAN DAS KACHHI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Radhe Lal Burman, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 41341 of 2025

RAMESH PRASAD YADAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Ajeet Kumar Singh, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 41347 of 2025

MAHENDRA KUMAR YADAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Ajeet Kumar Singh, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 41361 of 2025

SMT. RUKMANI DEVI THAKUR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Ajeet Kumar Singh, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 41801 of 2025

SHAYAM KUMAR SONI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....

Appearance:

Shri Rajesh Kumar Sharma, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 41994 of 2025

MAHENDRA SINGH BUNDELA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....

Appearance:

Shri Anshul Tiwari, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 42128 of 2025

VIJAY SINGH RATHAUR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....

Appearance:

Shri Shivam Mishra, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

.....

WRIT PETITION No. 42206 of 2025

CHAND RAM AHIRWAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....

Appearance:

Shri Shakti Kumar Soni, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 42227 of 2025

GOVIND PRASAD TIWARI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Shakti Kumar Soni, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 42231 of 2025

GAJANAN WANKER

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Santosh Sahu, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 42238 of 2025

ANIL KUMAR DWIVEDI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Shakti Kumar Soni, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate for the respondent/State.

WRIT PETITION No. 42240 of 2025

PRAFULL KUMAR SONI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Shakti Kumar Soni, learned counsel for the petitioner.

Shri S.S. Chouhan, learned Government Advocate 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. Mundingamani, 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. Mundingamani (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 petitioners 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/-