

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 23rd OF JANUARY, 2026

WRIT PETITION No. 24263 of 2024

VINOD KUMAR SAHU AND OTHERS

Versus

M P PURVA KSHETRA VIDYUT VITRAN CO LTD AND OTHERS

.....
Appearance:

Shri Pramod Kumar Khare - Advocate for petitioners.
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WITH

WRIT PETITION No. 27814 of 2025

SMT. SHAKUN CHOURASIYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri D.K. Khare - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 30120 of 2025

SMT. ASHA BHONGADE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri P.S. Tomar - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 30946 of 2025

RAMDAS VISHWAKARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Raj Kumar Tripathi - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 39256 of 2025

SHRI PARAMLAL KUMHAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Paras Nath Das - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 43656 of 2025

RAMRAO GORLE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Avesh Singh - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 44022 of 2025

SMT. SHYAMA DEVI NAGVANSHI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Shishir Kumar Soni - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 44383 of 2025

DAYA BHARGAVA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Aviral Vinayak Jaroliya - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 45252 of 2025

DR . ASHOK TIWARI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS
.....

Appearance:

Shri Ankesh Mishra - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 45591 of 2025

GOPAL PRASAD RAJAK

Versus

THE STATE OF MADHYA PRADESH AND OTHERS
.....

Appearance:

Shri Ajeet Kumar Singh - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 46434 of 2025

SUDAMA PRASAD MISHRA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS
.....

Appearance:

Shri Vaibhav Kumar Pandey - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 46533 of 2025

FAKIR CHAND UIKE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS
.....

Appearance:

Shri Ashish Vishwakarma - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 46669 of 2025

BAL MUKUND UPADHAYAY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Mahendra Pateriya - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 46777 of 2025

SAVITRI NAYAK

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Smt. Nirmala Nayak - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 46820 of 2025

RAGHURAJ SINGH THAKUR AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Sachindra Kumar Raghuwanshi - Advocate for petitioners.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 47077 of 2025

SURESH BABU BHARGAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Amit Kumar Bajpai - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 47568 of 2025

KHADAK SINGH BARKADE
Versus
STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Ashish Vishwakarma - Advocate for petitioner.
Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 47814 of 2025

SMT. MEERA RAWAT
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Devesh Bhojne - Advocate for petitioner.
Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 47906 of 2025

VIJAY SINGH BHAGEL
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Devendra Kumar Tripathi - Advocate for petitioner.
Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 48110 of 2025

SHIVSHANKAR PANDEY
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Chandrika Prasad Dwivedi - Advocate for petitioner.
Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 48206 of 2025

SUKHILAL SINGRAUL
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Ajeet Kumar Singh - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 48211 of 2025

DHANIRAM UPADHYAY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS
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Appearance:

Shri Shyam Yadav - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 48261 of 2025

MASTRAM YADAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS
.....

Appearance:

Shri Manoj Kumar Rajak - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 48263 of 2025

RADHESHYAM BAKURE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS
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Appearance:

Shri Raja Bhaiya Tiwari - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 48447 of 2025

GARIB DAS SEN

Versus

THE STATE OF MADHYA PRADESH AND OTHERS
.....

Appearance:

Shri Neeraj Jain - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 48454 of 2025

SATYA NARAYAN PATHAK

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Radhe Lal Burman - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 48633 of 2025

SMT. SHAIL SAHU

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Shishir Kumar Soni - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 49001 of 2025

SANJIV SHRIVASTAVA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Rajneesh Kumar Verma - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 49362 of 2025

SURAJ PRASAD RAJPUT

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Akhilesh Singh - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 49393 of 2025

SHIV SHANKAR SINGH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Aditya Veer Singh - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 49637 of 2025

SHAFIULLA SHAH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri B.K. Mishra - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 49667 of 2025

NATHOORAM RATHORE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Rajneesh Gupta - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 49720 of 2025

RAMAI KEVAT

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Neetesh Kumar Singh - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

Shri Deep Narayan Singh - Advocate for respondent No.6.
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WRIT PETITION No. 49838 of 2025

AMBIKA PRASAD DUBEY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Anshul Tiwari - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 49859 of 2025

HARIOM DHENUSEVAK

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri P.K. Tomar- Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 49928 of 2025

PRADEEP KUMAR PAL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri S.S. Tripathi - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 50079 of 2025

DR. YAGYA PURAN PATIL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri M.K.Chansauriya - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 50081 of 2025

PIJUSH KUMAR MAJUMDAR AND OTHERS
Versus
UNION OF INDIA AND OTHERS

.....
Appearance:

Shri Rajesh Kumar Chand - Advocate for petitioners.
Shri S.M. Guru - Deputy Solicitor General for Union of India.
Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 50254 of 2025

DEEN DAYAL HALDKAR
Versus
STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri S.K. Soni - Advocate for petitioner.
Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 184 of 2026

RAMESH CHANDRA SHARMA
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Neelesh Kotecha - Advocate for petitioner.
Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 186 of 2026

HEMANT KUMAR
Versus
DIVISION RAILWAY MANAGER AND OTHERS

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Appearance:

Shri Parag Tiwari - Advocate for petitioner.
Shri S.M. Guru - Deputy Solicitor General for Union of India.
Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 326 of 2026

ROHINI PRASAD

Versus

THE GENERAL MANAGER ORDNANCE FACTORY AND OTHERS

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Appearance:

Shri Anil Kumar Ahirwar - Advocate for petitioner.

Shri S.M. Guru - Deputy Solicitor General for Union of India.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 336 of 2026

UMAKANT JYOTISHI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri R.L. Burman - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 352 of 2026

HARISH CHANDRA JHARIYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Sharad Verma - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 514 of 2026

KHEMSINGH INVATI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Akhilesh Singh - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
.....

WRIT PETITION No. 629 of 2026

PREM NARAYAN SHARMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Nikhil Bhatt - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 757 of 2026

GANGA PRASAD DUBEY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Amit Kumar Pandey - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 1098 of 2026

MADHAV SINGH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Atul Kumar Rai - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 1116 of 2026

LAXMI NARAYAN MALVIYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Ajeet Kumar Singh - Advocate for petitioner.

Shri Sandeep Kumar Shukla - Advocate for respondents No.1 and 2.

Shri Anubhav Jain - Government Advocate for respondent No.3.

WRIT PETITION No. 1147 of 2026

ACHCHHE LAL JHARIYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Amit Kumar Pandey - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 1209 of 2026

SMT. SHEELA TIWARI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Mukesh Kumar Mishra - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 1309 of 2026

KISHAN LAL KUSHWAHA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Atul Kumar Rai - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 1422 of 2026

SMT RAJSHRI NAGAR (RETIRED)

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Harish Chandra Singh - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 1471 of 2026

DEENBANDHU SHUKLA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Arun Kumar Pandey - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.

WRIT PETITION No. 1631 of 2026

HALKE RAM PARTE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Nishant Patel - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 2118 of 2026

SHARDA PRASAD RAWTEL

Versus

**THE CHIEF SECRETARY GOVERNMENT OF MADHYA PRADESH
AND OTHERS**

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Appearance:

Shri Sudeep Singh Saini - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 2356 of 2026

VIDYADHAR YADAV

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Shakti Kumar Soni - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 2357 of 2026

JAGDISH PRASAD GHAWARIYA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Shakti Kumar Soni - Advocate for petitioner.

Shri Anubhav Jain - Government Advocate for respondents/State.
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WRIT PETITION No. 2513 of 2026

SAMBHU PRASAD DWIVEDI

Versus

THE STATE OF MADHYA PRADESH AND OTHERS**Appearance:***Shri Ram Girish Verma - Advocate for petitioner.**Shri Anubhav Jain - Government Advocate for respondents/State.***WRIT PETITION No. 2693 of 2026*****KODU PRASAD BHATT AND OTHERS****Versus****THE STATE OF MADHYA PRADESH AND OTHERS*****Appearance:***Shri Shakti Kumar Soni - Advocate for petitioner.**Shri Anubhav Jain - Government Advocate for respondents/State.***WRIT PETITION No. 2722 of 2026*****SHIVRAJ SINGH****Versus****THE STATE OF MADHYA PRADESH AND OTHERS*****Appearance:***Shri Rajesh Kumar Sharma - Advocate for petitioner.**Shri Anubhav Jain - Government Advocate for respondents/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. Muddinamani, 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 petitioners in terms of the aforesaid order passed on 20.02.2025 and comply with the same expeditiously.

9. That after the order passed by the Hon'ble Supreme Court in the case of *Union of India and another V/s M. Siddaraj (passed on 19.05.2023 in Civil Appeal No.3933/2023)*, the Hon'ble Supreme Court subsequently by order dated 19.12.2025 in *SLP (C) No.16679 of 2025 (Madhya Pradesh Purv Kshetra Vidyut Vitran Company Ltd. vs. Vidyut Mandal Pension Samaj & ors.)* has clarified that interest is not to be awarded on the arrears payable to the petitioner.

10. 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 as directed by the Supreme Court in the case of *M. Siddaraj (supra)*.

11. 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)* and dated 19.12.2025 passed in the case of *M.P. Poorva Keshtra Vidyut Vitran Co. Ltd. (supra)*.

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

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

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