

**Item No. D-2**

**The Pr. Accountant General Vs. Ashok Kumar Sharma**

**CWP No. 6466 of 2025**

23.05.2025 Present: Mr. Tara Chand Chauhan, Advocate, for the petitioner.

*Inter-alia* submits that while disposing of 17 cases, the Tribunal as such in principal had followed the judgment of the Apex Court in Civil Appeal No. 2471 of 2023, dated 11.04.2023, **Director (Adm. & HR) KPTCL & others Vs. C.P Mundinamini & others, (2023) SCC Online SC 401**, and therefore, granted benefit of the increment on 10.01.2024 (Annexure P-2). It is submitted that Review Petition was filed by the petitioner on the ground that the Tribunal had been misled on a of the fact that the employee had not completed one year's service, prior to his retirement and had opted for the benefit of his fixation of pay in Level-II w.e.f. 19.11.2019 and had superannuated on 30.06.2020. Therefore, he was not entitled to the benefit of increment w.e.f. 01.07.2020. It is submitted that this aspect was not even considered and the Tribunal chose to dismiss the

Review Petition and the limitation application in circulation, without issuing notice to the employee.

Notice be issued to the respondent returnable within four weeks, on taking steps within one week.

In the meantime, the Counsel shall also place on record the Review Petition and application for condonation of delay placed before the Tribunal.

List on **07.07.2025**.

**(G.S. Sandhawalia)**  
**Chief Justice.**

**(Ranjan Sharma)**  
**Judge**

**May 23, 2025**  
*(hemlata)*