

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA

&

HON'BLE SHRI JUSTICE PRADEEP MITTAL

ON THE 5th OF JANUARY, 2026

WRIT PETITION No. 10532 of 2020

RAKESH VERMA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Shailednra Verma - Advocate for petitioner.

Shri Piyush D. Dharmadhikari - Advocate for respondent No.4 & 6.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Shri Satendra Kumar Patel - Advocate for respondent No.5.

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WITH

WRIT PETITION No. 11341 of 2020

RAMKUMAR PRAJAPATI AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Harsh Gupta - Advocate for petitioner.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Shri Satyendra Kumar Patel - Advocate for respondent No.5.

Shri Piyush D. Dharmadhikari - Advocate for respondent No.4.

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WRIT PETITION No. 11344 of 2020

SIDIQ KHAN AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS
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Appearance:

Shri Harsh Gupta - Advocate for petitioner.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Shri Satyendra Kumar Patel - Advocate for respondent No.5.

Shri Khalid Noor Fakhruddin - Advocate for respondent NO.4.

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WRIT PETITION No. 13505 of 2020

SHARDA PRASAD SHUKLA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Shailendra Verma - Advocate for petitioner.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Shri Akash Choudhury - Advocate for respondent No.4.

Shri Satyendra Kumar Patel - Advocate for respondent No.5.

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WRIT PETITION No. 15733 of 2020

VISHNU KUMAR CHATURVEDI AND OTHERS

Versus

STATE OF M.P. AND OTHERS

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Appearance:

Shri Harsh Gupta - Advocate for petitioner.

Ms. Amrit Kaur Ruprah - Advocate for respondent No.4.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Shri Satyendra Kumar Patel - Advocate for respondent No.5.

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WRIT PETITION No. 15833 of 2020

RAMESHWER DAYAL RATHORE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Harsh Gupta - Advocate for petitioner.

Ms. Amrit Kaur Ruprah - Advocate for respondent No.4.

Shri Satyendra Kumar Patel - Advocate for respondent No.6.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

WRIT PETITION No. 16081 of 2020

M.P. JUDICIAL EMPLOYEES UNION

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Qasim Ali - Advocadte for petitioner.

Shri Satyendra Kumar Patel - Advocate for respondent No.5.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Ms. Amrit Kaur Ruprah - Advocate for respondent No.4.

WRIT PETITION No. 18240 of 2020

KAMLESH SINGH BHADOURIYA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Harsh Gupta - Advocate for petitioner.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Ms. Amrit Kaur Ruprah - Advocate for respondent No.4.

Shri Satyendra Kumar Patel - Advocate for respondent No.5.

WRIT PETITION No. 19877 of 2020

MUKESH KUMAR KUSHWAHA

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Shailednra Verma - Advocate for petitioner.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Shri Satyendra Kumar Patel - Advocate for respondent No.5.

Shri Akash Choudhury - Advocate for respondent No.4 & 6.

WRIT PETITION No. 43 of 2022

CHATURI LAL BATHAM AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Harsh Gupta - Advocate for petitioner.

Ms. Amrit Kaur Ruprah - Advocate for respondent No.4.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Shri Satyendra Kumar Patel - Advocate for respondent No.5.

WRIT PETITION No. 118 of 2022

MAHESH KUMAR SHARMA AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Harsh Gupta - Advocate for petitioner.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Ms. Amrit Kaur Ruprah - Advocate for respondent No.4.

Shri Satyendra Kumar Patel - Advocate for respondent No.5.

WRIT PETITION No. 3516 of 2022

RAVINDRA KUMAR SINGHAL

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Harsh Gupta - Advocate for petitioner.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Shri Akash Choudhury - Advocate for respondent No.4.

Shri Satyendra Kumar Patel - Advocate for respondent No.5.

WRIT PETITION No. 9154 of 2022

ASHOK KUMAR SAHU AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Harsh Gupta - Advocate for petitioner.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Shri Akash Choudhury - Advocate for respondent No.4.

Shri Satyendra Kumar Patel - Advocate for respondent No.5.

WRIT PETITION No. 18468 of 2022

AKHILESH SAXENA AND OTHERS
Versus
THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Anuj Agrawal - Advocate for petitioner.

Ms. Amrit Kaur Ruprah - Advocate for respondent No.3.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Shri Satyendra Kumar Patel - Advocate for respondent No.4.

CONTEMPT PETITION CIVIL No. 4416 of 2024

MAHESH KUMAR SHARMA
Versus
SHRI RAJARAM BHARTIYA AND OTHERS

Appearance:

Shri Harsh Gupta - Advocate for petitioner.

Shri Abhijeet Awasthi - Deputy Advocate General for respondent/State.

Reserved on - 18.12.2025.

Pronounced on : 05.01.2026

ORDER

Per. Justice Vivek Rusia

The issues involved in the captioned writ petitions are similar in

nature; therefore, they are being decided by this common order. For the sake of convenience, the facts of Writ Petition No. 10532/2018 are being taken to resolve the controversy involved herein.

2. The petitioner was appointed in the District Court, Jabalpur, on 27.01.1986. In the year 1990, computerization in the functioning of Madhya Pradesh was initiated by the National Informatics Centre (NIC). Thereafter, the e-Courts Committee of the Supreme Court of India directed all High Courts to constitute an e-committee for computerisation in District Courts and High Courts. The Registrar General of the High Court issued directions to organise the program to impart training to its employees working in the High Court as well as in District Courts in Word Processing, basic computer operations, Internet usage, and data entry and management, with the assistance of the National Informatics Centre cell established in the High Court. Accordingly, the petitioner, along with other employees, was also provided computer training in Word Processing, basic computer operations, Internet usage, and data entry and management. After completion of the training, the petitioner started performing his day-to-day official duties using computers.

3. The General Administration Department, Government of Madhya Pradesh (GAD), issued a circular dated 06.02.2006 to all the Chief Secretaries and Secretaries of all the Departments of the State of Madhya Pradesh to impart basic training to all officers and employees through the agencies notified by the Information Technology Department. Such training was liable to be certified by a Government Engineering College, Polytechnic

College, or ITI where computers were available, for which software would be prepared by the Information Technology Department. Class-III employees and equivalent cadres need to undergo such training.

4. As per Clause 9 of the circular dated 06.02.2006, in departments where computers were available, after completing one year of successful training, one advance increment would be granted, and in departments where computers were not available, one advance increment would be granted after certification of three years of training to all the officers and employees.

5. The Coordinate Bench of this High Court, in Writ Petition No. 14007/2006, vide judgment dated 07.09.2016, directed that the petitioner therein, upon filing an affidavit indicating that he had undergone computer training conducted by NIC, the High Court will grant to one advance increment, as done in the case of Mahfooz Ahmed, in light of the circular dated 06.02.2006. The benefit of one increment was extended to all similarly situated employees working in all the District Courts.

6. According to the petitioner, he too had undergone the computer training, which was duly certified by the Principal and District Judge, but the benefit was denied to him, because vide circular dated 26.09.2014, the General Administration Department had cancelled the circular dated 06.02.2006. Therefore, those who had been granted the benefit under the circular dated 06.02.2006 were not to be treated as eligible, as clarified by the Finance Department vide letter dated 04.02.2020, which is filed as Annexure P/1. Hence, the petitioner has approached this Court by way of the present writ petition.

7. Respondents No. 1 and 3 have filed a return by submitting that the petitioner is not entitled to the benefit of one advance increment under the circular dated 06.02.2006 issued by the General Administration Department of the State of Madhya Pradesh, as the same has been recalled vide circular dated 29.09.2014. It is further submitted that for appointment of Assistant Grade-III, after the amendment with effect from 12.06.2009, the essential qualification of a computer certificate was made mandatory in the Recruitment Rules, i.e., Diploma in Computer (PGDCA). Therefore, any appointment made after such amendment with computer knowledge, and hence, from 04.02.2020, a cut-off date was prescribed for denying the benefit of one advance increment.

8. Learned counsel for the petitioner submits that such a cut-off date will not apply in the case of the petitioner because, when he was appointed, there was no such essential qualification prescribed in respect of computer knowledge like PGDCA; therefore, he was provided training in compliance with the circular dated 06.02.2006, and thus entitled to the advance increment. The subsequent withdrawal of the circular with effect from 04.02.2020 cannot deprive the petitioner of the benefit, as the right had already accrued.

9. Respondents No. 4 to 6 have filed separate reply submitting that the State Government, vide the impugned order dated 04.02.2020, categorically instructed that since the circular dated 06.02.2006 had been annulled by the subsequent circular dated 26.09.2014, those who were granted benefits in accordance with the circular dated 06.02.2006 would not be entitled to the

benefit of advance increment in view of its subsequent annulment. It is further submitted that the Administrative Committee of the District Court, in view of the decision in Writ Petition No. 14007/2016, vide order dated 07.09.2016, had passed an order granting the benefit of an advance increment to the petitioner along with other employees who had undergone computer training. However, with reference to the order dated 04.02.2020, an opinion was sought from the Finance Department, which opined that since the circular dated 06.02.2006 had already been annulled by the subsequent circular dated 26.09.2014, the benefit could not be conferred on the petitioner. Therefore, in view of the aforesaid opinion received from the Finance Department, the Administrative Committee, vide order dated 13.03.2020, withdrew the benefit which was conferred vide order dated 11.02.2020.

We have heard learned counsel for the parties and perused the records.

10. Undisputedly, the Administrative Committee of the District Court had already recommended the grant of an advance increment in light of the circular dated 06.02.2006 because the petitioner had been given computer training; therefore, a right had already been created in favour of the petitioner. Since the State Government withdrew the circular dated 06.02.2006 vide circular dated 26.09.2014, those who had undergone training from 06.02.2006 till 26.09.2014, as certified by the Principal and District Judge, are entitled to the benefit of the advance increment. The circular dated 06.02.2006 remained valid till 26.09.2014; therefore, during that period, those who underwent training are certainly entitled to the benefit

of one advance increment. The respondents have rightly submitted that after 26.09.2014, the Recruitment Rules were duly amended and newly recruited Class-III employees were selected with computer knowledge; therefore, there was no question of granting an advance increment. Those who were appointed when no qualification for computer knowledge was prescribed were required to undergo training to encourage them to deal with computer work, and after successful completion of the training, they were granted the benefit of an advance increment.

11. In view of the above, all the captioned writ petitions as well as contempt petition are allowed. The petitioners are entitled to the benefit of the advance increment, as certified by the Principal and District Judge, for those who underwent training between 06.02.2006 and 26.09.2014. Since most of the petitioners have retired from service, they shall be given arrears of salary as well as arrears of pension. Additionally, their Pension Payment Orders (PPOs) shall be revised accordingly.

Let a photocopy of this order be placed in connected cases.

(VIVEK RUSIA)
JUDGE

(PRADEEP MITTAL)
JUDGE

Praveen