

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 934 of 2016

- Smt. Lusia Ekka @ Smt. Luisa Ekka, Wife Of Shri Junus Ekka, Aged About 46 (49) Years, Working As Upper Division Teacher, Govt. Post Matric Girls Hostel, Patthalgaon, P.S. Patthalgaon, District Jashpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Tribal Welfare Department (Now School Education Department), Mantralaya, P.S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur, Chhattisgarh
2. Commissioner, Tribal Welfare Department, Raipur, P.S. City Kotwali, Raipur, District Raipur, Chhattisgarh
3. Assistant Commissioner, Tribal Welfare Department, Jashpur, P.S. Jashpur, District Jashpur, Chhattisgarh

---- Respondents

For Applicant	Shri A. N. Bhakta, Advocate
For Respondent-State	Shri U. N. S. Deo, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

21/12/2016

1. This is an application for modification of the order dated 03.10.2013 passed in WPS No.3234/2013. In para 1 of the said order, it is mentioned that the petitioner is entitled to benefit of two advance increments on account of she having passed B.Ed./B.T.I./D.Ed. Examination before appointment at her own cost.

2. Shri Bhakta, learned counsel for the applicant would refer to para 8.2 of the writ petition to argue that the petitioner had pleaded that she had passed D.Ed. Examination from Madhyamik Shiksha Mandal, Bhopal after entering into service and it was never her case that she has passed D.Ed. Examination before appointment. He would submit that the said incorrect statement of fact was made by learned counsel by inadvertence. Due to the said mistake, the respondents are not considering the applicant's case for grant of two advance increments.
3. Considering the averments made in para 8.2 of the writ petition, the statement of fact mentioned in para 1 of the order appears to be wrongly mentioned.
4. On due consideration, the MCC is allowed and para 1 of the order is modified to say that the applicant has passed her D.Ed. Examination after entering into the service. The order stands corrected. A copy of this order be tagged with the original order passed in WPS No.3234/2013.
5. The MCC stands disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala