

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition No.3080 of 2006**

Sewa Ram Roy, aged about 50 years, S/o late Shri Ramdhin Roy,
Assistant Grade-III, Tahsil Office Dhamdha, District Durg (CG).

---- **Petitioner****Versus**

1. State Government of Chhattisgarh, through the Secretary,
Revenue Department, DKS Bhawan, Raipur (CG).
2. Collector, Durg (CG).
3. Shri Lakhanlal Sudhakar, aged about 50 years, Assistant Grade-II,
Food Section, Collectorate, Durg (CG).

---- **Respondents**

For Petitioner : Mr. Vivek Kumar Sharma, Advocate
For State : Mr. Ashish Surana, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

06/11/2017

(1) The petitioner's case for grant of increment after one year of service has been rejected by Collector, Durg on 27.01.2006 on the ground that the petitioner has not passed the typing examination and, therefore, he is entitled for grant of increment after completion of 40 years of age as per circular dated 15.11.1984 issued by State Government, which has been challenged in this writ petition.

(2) Learned counsel appearing for the petitioner would submit that the impugned order is unsustainable and bad in law.

(3) Learned counsel appearing for the State would support the

impugned order and oppose the submission made by learned counsel for the petitioner.

(4) The Collector, Durg has clearly recorded a finding that the petitioner has not passed the typing examination, therefore, he is entitled for grant of increment after completion of 40 years of age as per circular dated 15.11.1984 issued by State Government. The finding recorded by the Collector is based on material available on record in which I do not find any jurisdictional error.

(5) Consequently, the writ petition deserved to be and is accordingly dismissed.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-