

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3106 of 2017

- Vivek Dubey S/o Shri Shiv Kumar Dubey, Aged About 32 Years, Presently Working As Lecturer (Panchayat), Government Higher Secondary School, Bataikela, Block Kasabel, District - Jashpur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, through Secretary, Department of Panchayat and Rural Development, Mahanadi Bhawan, Capital Complex, New Raipur, P.S. Rakhi, District Raipur (C.G.)
2. Zila Panchayat, Jashpur, through Chief Executive Officer, Zila Panchayat, Jashpur, District Jashpur (C.G.)
3. District Education Officer, Jashpur, District Jashpur (C.G.)

---- Respondents

For Petitioner	Shri Aditya Sharma, Advocate
For Respondent-State	Shri Rajendra Tripathi, PL
For Respondent No.2	Shri Neeraj Pradhan, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

06/11/2017

1. Learned counsel for the petitioner would submit that the petitioner was appointed as Lecturer (Panchayat) (Physics) on 17.12.2013 and is undergoing B.Ed Course after having been permitted by the High Court to prosecute the said course, however, he is not regularized in the services on the ground that he has not yet completed the B.Ed Course.

2. Shri Pradhan, learned counsel appearing for the respondent No.2 would submit that the petitioner having not completed his B.Ed Course is not entitled to be regularized in service, because he has availed the relaxation at the time of appointment and is required to obtain qualification within 3 years, which he has not yet obtained.
3. Considering the entire facts situation of the case, it is directed that the respondent No.1 State of Chhattisgarh shall decide the petitioner's claim for confirmation/regularization in service in accordance with Rule 8 of the Chhattisgarh Teacher (Panchayat) Samvarg (Bharti Tatha Sewa Ki Sharten) Niyam, 2012. The petitioner shall file representation before the respondent No.1 within a period of 6 weeks from today and thereafter the respondent No.1 shall decide the petitioner's representation, at the earliest, preferably within a period of 12 weeks thereafter.
4. Accordingly, the writ petition is disposed of with the aforesaid direction.
5. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order as opinion on the merits of the case.

Sd/-

Judge

Prashant Kumar Mishra