

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 573 of 2018

Pyarelal Fulmali S/o Shri Shivcharan Fulmali Aged About 41 Years
Working As Lecturer Panchayat And Posted At Government Higher
Secondary School Thakurtoal Block Chuikhadan , District
Rajnandgaon Chhattisgarh. , Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya Naya Raipur, District Raipur Chhattisgarh ., Chhattisgarh
2. Chief Executive Officer, Zila Panchayat Rajnandgaon District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
3. Block Education Officer, Block Chuikhadan , District Rajnandgaon Chhattisgarh. , District : Rajnandgaon, Chhattisgarh

---- Respondents

For Petitioner : Mr. Ajay Shrivastava, Advocate.

For State : Mr. Chandresh Shrivastava, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

16/01/2018

Heard.

1. Learned counsel for the petitioners would submit that the petitioners were appointed under the provisions of Chhattisgarh Panchayat Shiksha Karmi (Recruitment and Conditions of Service) Rules of 2007 without there being any requirement of passing B.Ed / D.Ed exam. They were confirmed and granted regular pay scale also.
2. Challenge is laid to the action of the respondents based on

circulars dated 10/06/2016 and 08/03/2017 which according to the petitioner, seeks to withdraw the monetary benefits like regular pay scale, annual increment and revised pay scale on the ground of not obtaining B.Ed degree.

According to learned counsel for the petitioners, the issue raised by the petitioners was considered in batch of petitions i.e. WPS No.4271/2017 (Jayant Kumar Patle vs. State of Chhattisgarh and ors.) and other cases by this Court vide order 03/11/2017. Therefore, the petitioners be also granted similar relief.

3. Learned State counsel would submit that the Court considered cases of teachers in different categories enumerated in para 6 of the said order. The petitioners being an appointee under the Rules of 2007 would require consideration in terms of the direction contained in para 46 of the said order.

4. Learned counsel for the petitioner would submit that the petitioners are already getting regular pay scale and increments also and the consideration would be confined to grant of revised pay scale.

5. The petitioner's case for grant of revised pay scale will have to be considered in terms of the order passed by this Court in the case of Jayant Kumar Patle (supra), in so far as other claim for grant of revised pay scale is concerned.

6. With the aforesaid observations, this petition is finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge