

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 183 of 2018**

Kapil Singh Dhurwe S/o Shri Tihar Singh Dhurwe Aged About 36 Years Presently Working As Teacher Panchayat At Govt. Middle School Amarpur, Block Pandariya, District Kabirdham (Chhattisgarh) **---- Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya Police Station Rakhi, Tahsil Aarang, Naya Raipur, District Raipur (Chhattisgarh)
2. Commissioner-Cum-Director, Directorate Of Panchayat, Naya Raipur, District Raipur (Chhattisgarh)
3. Chief Executive Officer Zila Panchayat, Kabirdham, District Kabirdham (Chhattisgarh) **....Respondents**

For Petitioner	:	Mr. CJK Rao, Advocate
For State	:	Mr. Majid Ali, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****09.01.2018**

Heard.

1. Learned counsel for the parties would not dispute that the legal issue involved in this petition is governed by common order dated 3.11.2017 passed by this Court in WPS No.4271 of 2017 and batch of petitions, applicable in case of those who were appointed under Panchayat Shiksha Karmi (Bharti Tatha Seva Ki Sarten) Niyam, 1997.

2. In the order dated 3.11.2017 referred to above, in respect of those Teachers who were appointed under 1997 Rules, following directions were issued:

“Such petitioners who were appointed under the 1997 Niyam when there was no condition of having B.Ed./D.Ed. qualification are held entitled to the revised pay scale/time

pay scale as well as increment and the impugned action withdrawing the said benefits from such petitioners is quashed. They shall continue to get all the benefits, which they were enjoying just before issuance of the impugned communications.”

3. The petitioner being an appointee under the Rules of 1997 is also entitled to similar direction. Accordingly, it is directed that the petitioner is entitled to revised pay scale/time pay scale as well as increment and the impugned action withdrawing the said benefits from the petitioner on the ground of he being not possessed of B.Ed./D.Ed. qualification is quashed. The petitioner shall continue to get all the benefits which he was enjoying before the impugned action.

4. The petition is accordingly allowed.

Sd/-
(Manindra Mohan Shrivastava)
Judge