

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2965 of 2017

Santosh Kumar Yadav S/o Late Parasnath Yadav, Aged About 42 Years
Presently Working As Lecturer Panchayat At Govt. Higher Secondary School,
Kohroud, Block Baloda Bazar, District Balodabazar Bhatapara Chhattisgarh,
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Gramin Vikas, Mahanad Bhawan, Mantrayala, Capital Complex, Naya Raipur, District Raipur Chhattisgarh., Chhattisgarh
2. Collector, Balodabazar District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
3. District Education Officer, Balodabazar District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat Baloda Bazar Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh
5. Block Education Officer, Balodabazar District Balodabazar Bhatapara Chhattisgarh, District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondents

Shri Yogendra Chaturvedi, counsel for the petitioner/s.
Shri Chandresh Shrivastava, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/02/2018

Learned counsel for the petitioner would submit that the petitioner was 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. He was confirmed and granted regular pay scale also.

2. Challenge is laid to the action of the respondents based on circulars dated 06/05/2016 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 petitioner, the issue raised by the petitioner 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 petitioner 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 petitioner being 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 petitioner is 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