

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1056 of 2018

1. Smt. Smirti Sharma W/o W/o Anil Sharma, Aged About 34 Years Working As Lecturer (Panchayat) At Government Higher Secondary School Kenwachi, Block Pendraroad (Gourela), District Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh
2. Chandra Bhushan Singh Raj S/o S/o Heera Ram Raj, Aged About 46 Years Working As Lecturer (Panchayat) At Government Boys Higher Secondary School Belghana, Block Kota, District Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh
3. Hement Kumar Pandey S/o S/o Ram Sanehi Pandey, Aged About 36 Years Working As Lecture (Panchayat) At Government Higher Secondary School Khodri Block Gourela, District Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan Mantralaya, Naya Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
2. Commissioner Cum Director, Directorate Panchayat Department Of Panchayat, Raipur, District Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
3. Zila Panchayat Bilaspur, Through Chief Executive Officer Zila Panchayat Bilaspur District Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh

---- Respondents

Shri Hemant Kesharwani, counsel for the petitioner/s.
Shri Syed Majid Ali, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

01/02/2018

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 06/05/2016 and 08/03/2017 which according to the petitioners, 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 appointees 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 petitioners 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 petitioners' 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