

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1076 of 2018

1. Akhil Kumar Tiwari S/o Krishna Lal Tiwari Aged About 43 Years
Working As Lecturer (Panchayat) At Government Higher
Secondary School Tenganmada Block Kota, District Bilaspur
Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Devendra Kumar Anant S/o Hetu Ram Anant Aged About 38 Years
Working As Teacher (Panchayat) At Govenment Girl Middle School
Belgahana Block Kota District Bilaspur Chhattisgarh., District :
Bilaspur, Chhattisgarh
3. Onkar Prasad Kaushik S/o Shri Radheshyam Kaushik Aged About
41 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

For Petitioner : Mr. Hemant Kesharwani, Advocate.

For State : Mr. Majid Ali, Dy. GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

02/02/2018

1. 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 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 petitioner, 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 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 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 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