

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2258 of 2018**

Smt. Rukhmani Sahu W/o Chandra Shekhar Sahu Aged About 38 Years R/o Behind Electricity Office, Naka No. 1, Parshuram Ward, Bhatapara, District- Baloda Bazar- Bhatapara, Chhattisgarh., District : Balodabazar-Bhatapara, Chhattisgarh
---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat, Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. State Of Chhattisgarh, Through Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Jila Panchayat Baloda Bazaar, Through- Chief Executive Officer, Jila Panchayat Baloda Bazar- Bhatapara Chhattisgarh. Old District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
--Respondents

For Petitioner	:	Mr. A.P. Sharma, Advocate
For State	:	Mr. Satish Gupta, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****13.03.2018**

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 she being not possessed of B.Ed./D.Ed. qualification is quashed. The petitioner shall continue to get all the benefits which she was enjoying before the impugned action.

4. The petition is accordingly allowed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Rekha