

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2219 of 2018

Nilofer Khan D/o Abdul Kalam Khan Aged About 33 Years Post Lecturer (Panchayat) At Government Higher Secondary School Kandul, Block Gunderdehi District Balod , Chhattisgarh R/o Plot No. 6 , Beside St. Xaviers School, Kripal Nagar , Kokha Bhilai , District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary , Panchayat And Rural Development Department Mantralaya Mahanadi Bhawan New Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Chief Executive Officer , District Panchayat Balod Chhattisgarh., District : Balod, Chhattisgarh
3. Block Education Officer Gunderdehi, District Balod Chhattisgarh., District : Balod, Chhattisgarh

---- Respondents

For Petitioner : Mr. Praveen Dhurandhar, Advocate.

For State : Mr. Majid Ali, Dy. GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

12/03/2018

1. Learned counsel for the petitioner would submit that earlier he had filed the petition which was disposed off with direction to consider the representation of the petitioner, the representation has been rejected vide order dated 16-10-2017.

2. Learned counsel for the petitioner would also submit that in the meantime, issue involved in this petition was considered by this Court in the case of (Mukesh Kumar Patel and another Vs. State of Chhattisgarh and another) which was decided on 28-11-2017 passed in WPS No. 2530/2017, therefore, the legal regime have been altered by judicial disposition, the respondent shall now require to examine the case of the

petitioner in the light of order passed by this Court in the case of (Mukesh Kumar Patel and another Vs. State of Chhattisgarh and another).

3. In view of the above and the submission made by the learned counsel for the petitioner, I am inclined to dispose off the petition with direction to examine the petitioner's case in the light of order passed by this Court in the case of (Mukesh Kumar Patel and another Vs. State of Chhattisgarh and another) passed by this Court in WPS No. 2530/2017 and decided on 28-11-2017. If the case of the petitioner is similarly situated, he will also be entitled to the benefits as per the decision in the case of (Mukesh Kumar Patel and another Vs. State of Chhattisgarh and another) passed by this Court in WPS No. 2530/2017 and decided on 28-11-2017.

4. Accordingly, the petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)

Judge