

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2862 of 2018

1. Smt. Kanti Dewangan W/o Pukhraj Dewangan, Aged About 49 Years Presently Posted And Working As Shiksha Karmi Grade I, Govt. High School, Tendunala, Dongargaon, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
2. Rahul Kumar Jain, S/o Ramesh Kumar Jain, Aged About 31 Years Presently Posted And Working As Shiksha Karmi Grade Iii, Govt. Primary School, Jantar, Sadar Line, Dongargaon, Ward No. 10, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
3. Ku. Neelam Jain, D/o Nirmalchand Jain, Aged About 34 Years Presently Posted And Working As Shiksha Karmi Grade Iii Govt. Primary School, Amlidih, Dongargaon Ward 3, Tahsil Dongargaon, District Rajnandagaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
4. Shiv Shankar Netam, S/o Gyanram Netam, Aged About 35 Years Presently Posted And Working As Shiksha Karmi Grade Iii Govt. Primary School, Adham, Village Telgan, Post Kokhpur, Block Dongargaon, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Social Welfare, Mahanadi Mantralaya, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Commissioner Cum Director, Directorate Of Panchayat, Chhattisgarh, 36 C Iii, Block Ii, Second Floor, Indrawati Bhawan, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Collector, Rajnandgaon, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat, Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
5. Deputy Director (Local Fund Audit), Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
6. District Education Officer, Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
7. Block Education Officer, Dongargaon, District Rajnandgaon Chhattisgarh.,

District : Rajnandgaon, Chhattisgarh

---- Respondents

For Petitioners	:	Shri Vivek Shrivastava, Advocate
For State	:	Shri Satish Gupta, Govt. Advocate

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/04/2018

Heard.

1. 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 10/06/2016 and 08/03/2017 which according to the petitioners, seek 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 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 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