

AFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 4557 of 2018**

Somesh Pathak S/o Shri Om Prakash Pathak, Aged About 34 Years Presently Working As Lecturer Panchayat At Govt. Higher Secondary School, Mohgaon, Block Pandariya, District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya P.S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Commissioner-Cum-Director, Directorate Of Panchayat, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Executive Officer, Zila Panchayat, Kabirdham, District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Respondents

For Petitioner : Mr. Harish Khuntiya, Advocate

For State : Mr. Dhiraj Wankhede, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****12.07.2018**

1. Heard.
2. The petitioner is aggrieved by the action of the respondents, whereby the increment granted to the petitioner is being withdrawn on the ground that he has not passed B.Ed/D.Ed examination.
3. Learned counsel for the petitioner would submit that the issue with regard to withdrawal/non grant of increment on the ground of having not passed B.Ed/D.Ed examination was examined by this

Court in the case of **Jayant Kumar Patle Vs. State of Chhattisgarh (WPS No.4271 of 2017 and batch of petitions, vide order dated 03.11.2017)** and also in WPS No.99/2018 (**Laxmaneshwar Giri Goswani Vs. State of CG and Ors.**) and various directions have been issued for affording proper opportunity of hearing and then decide the matter. This case is squarely covered by the above cases and may be disposed of in the light of the directions given in above cases.

4. Learned State Counsel would submit that the petitioner's claim would be examined after affording opportunity of hearing in terms of order dated 03.11.2017 passed in the case of **Jayant Kumar Patle** (supra).
5. Considering the aforesaid submission, the petition is finally disposed of with a direction to the respondents for examination of petitioner's claim in terms of order passed by this Court in the case of **Jayant Kumar Patle** (supra) and take appropriate decision thereon.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-