

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 4948 of 2018**

Avinash Kashyap S/o Purushottam Lal Kashyap Aged About 45 Years
Working As Lecturer Panchayat , Government Higher Secondary School,
Parsada Kala Block Fingeshwar District Gariyaband Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development Mahanadi Bhawan Naya Raipur Chhattisgarh.
2. Commissioner Cum Director Directorate Of Panchayat Naya Raipur District Raipur Chhattisgarh.
3. Chief Executive Officer, Jila Panchayat Raipur District Raipur Chhattisgarh.
4. Chief Executive Officer, Jila Panchayat Gariyaband District Gariyaband Chhattisgarh.

---- Respondents

For Petitioner : Mr. Harish Khuntiya, Advocate

For State : Mr. R.K. Gupta, Dy.A.G.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****02.08.2018**

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The petitioner is aggrieved by the action of the respondents, whereby the increment granted to the petitioner is being withdrawn on the ground that he has not passed B.Ed/D.Ed examination.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.
6. It is made clear that this Court has not expressed any opinion on the merits of the case.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-