

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 8274 of 2018**

Vijay Kumar Kaiwart S/o Ram Singh, Aged About 43 Years, Posted As Lecturer Panchayat, Government Higher Secondary School Kartala, Block Kartala, District Korba, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh
2. Chief Executive Officer, Zila Panchayat Korba, District Korba, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Basant Kaiwartya, Advocate
For State	:	Ms. Sunita Jain, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****13.12.2018**

The Petitioner is aggrieved by the action of the Respondents, whereby the increment granted to the Petitioner is being withdrawn on the ground that he has not passed B.Ed/D. Ed examination.

2. Learned Counsel for the Petitioner submits 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 v. State of Chhattisgarh (WPS No.4271 of 2017 and batch of petitions vide order dated 03.11.2017)** and various directions have

been issued for affording proper opportunity of hearing and then decide the matter.

3. Learned Counsel for the State submits 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).

4. Considering the aforesaid submission, this 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 to take appropriate decision thereon.

5. The writ petition accordingly stands disposed of.

**Sd/-
P. Sam Koshy
Judge**