

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1086 of 2019

Shyam Kumar Mansar S/o Shiv Kumar Mansar, aged about 35 years, working as Assistant Grade III, Posted at Block Education Officer, Korba, Distt. Korba (CG).

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary General Administration Department Mantralaya Mahanadi Bhawan Naya Raipur District Raipur Chhattisgarh.
2. Joint Director Treasury Account Pension Bilaspur District Bilaspur Chhattisgarh.
3. District Education Officer Korba District Korba Chhattisgarh.
4. Block Education Officer Korba District Korba Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Awadh Tripathi, Advocate
For State	:	Mr. Anshuman Shrivastava, PL.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

19/02/2019

1. The limited grievance, which the petitioner has sought is that the petitioner has not been granted the benefit of increment from the date of appointment i.e. 01.07.2011. The increment has not been given to the petitioner on the ground that the petitioner has not passed the typing examination from the recognized board.
2. Counsel for the petitioner submits that the State of Chhattisgarh, General Administration Department had vide circular dated 28.11.2011 fixed the minimum educational qualification for the post of Assistant Grade-III and the requirement prescribed was, passing of (10+2) Board examination from a recognized board and having

one year diploma certificate from a recognized institution for the post of Data Entry Operation/Programming.

3. The other requirement was the knowledge of Hindi typing on computer of 5000 keys depression per hour. Thus, there was no requirement of the candidate for passing the Typing examination from a recognized board.
4. Subsequently, the District Education Officer vide Annexure P/4 dated 10.08.2018 has also passed a order in this regard again relying upon the order passed by the General Administration Department and later on the Department, where the petitioner was working had also forwarded the case of the petitioner for grant of increment in the light of the order/circular of the General Administration Department, but till date, the same has not been implemented or released to the petitioner.
5. Counsel for the petitioner submits that he has instruction to state that it is the office of the respondent No.2, who is not implementing the order and providing the benefit attached thereto.
6. According to the State counsel, the order have already been passed in favour of the petitioner for grant of increment and for all practical purposes, the same stands implemented and since there is already an order passed in favour of the petitioner by the District Education Officer on 10.08.2018, there is no further requirement of any further adjudication in the order.
7. Given the aforesaid factual matrix of the case, this Court is of the opinion that ends of justice would meet if a direction is given to the respondent No.2 to ensure that the order dated 10.08.2018, passed

by the District Education Officer in the light of the government instructions/circular issued by the General Administration Department on 22.01.2018 is complied with.

8. Let this exercise be concluded by the respondent No.2 within a period of 60 days from the date of receipt of the copy of this order.
9. With the aforesaid observations, the present writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

inder