

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.1878 OF 2019**

1. Rakesh Kumar Xaxa S/o Belarmin Xaxa, Aged About 38 Years Lecturer (Panchayat) At Government, Girls Higher Secondary School, Batauli, Block Batauli, District Surguja Chhattisgarh.

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
2. Chief Executive Officer, Zila Panchayat Surguja Ambikapur District Surguja Chhattisgarh.

... Respondent(s)

For Petitioner	:	Shri Shailesh Puriya, Advocate.
For Respondent-State	:	Shri Rahul Mishra, Dy.Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****15.03.2019**

1. The petitioner is aggrieved by the action of the respondents, whereby the increment granted to the petitioner is being withdrawn on the ground that he has not passed B. Ed/D. Ed examination.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 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 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 various directions have been issued for affording proper opportunity of hearing and then decide the matter.
3. 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).
4. Considering the aforesaid submission, this petition is finally disposed off 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/-

(P. Sam Koshy)
Judge