

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5315 of 2019

Omprakash Mandavi S/o Mr. Shankar Ram Madavi Aged About 37 Years
By Occupation Teacher (Local Bady) Govt. Middle School Bagod, Block
Naraharpur, District Uttar Bastar Kanker Chhattisgarh.

---- Petitioner

Versus

1. The State Of Chhattisgarh Through Its Secretary, School Education Department, Mantralaya Naya Raipur District Raipur Chhattisgarh
2. Commissioner Cum Director Panchayat, Sanchanalaya, Naya Raipur, District Raipur Chhattisgarh.
3. Chief Executive Officer Zila Panchayat District Uttar Bastar Kanker Chhattisgarh
4. Deputy Director Local Fund Audit Jagdalpur, Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Parag Kotecha, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

22/07/2019

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The petitioner is aggrieved by the action of the respondents, whereby the increment granted to the petitioner is being withdrawn on the ground **that he has not** passed B.Ed/D.Ed examination.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 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) [subject to verification of the facts](#) and take appropriate decision thereon.
5. The writ petition stands accordingly disposed off.

Sd/-
(P. Sam Koshy)
Judge

Ved