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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2747 of 2020**

Balamdina Kujur, W/o. Alexander Kujur, Aged About 45 Years, R/o. Dingapur, I.T.I. Rampur, Ward No. 32, Police Station Rampur, District Korba, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Department Of Panchayat And Rural Development, Mantralaya Mahanadi Bhawan, Nava Raipur, District Raipur, Chhattisgarh
2. Secretary School Education Department, Mantralaya Mahanadi Bhawan, Nava Raipur, District Raipur, Chhattisgarh
4. District Education Officer Korba, District Korba, Chhattisgarh
5. Block Education Officer Block Korba, District Korba, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Wasim Miyan, Advocate
For Respondent/State	:	Shri Gagan Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**ORDER****15.07.2020**

Heard.

1. Learned counsel for the petitioner would submit that the petitioner was appointed under the provisions of Chhattisgarh Panchayat Shiksha Karmi (Recruitment & Conditions of Service) Rules of 2007 without there being any requirement of passing B.Ed/D.Ed exam. She was confirmed and granted regular pay scale also.
2. Challenge is to the action of the respondents based on circulars dated

10.06.2016 and 08.03.2017, which according to the petitioner seeks to withdraw the monetary benefits like regular pay scale, annual increment and revised pay scale on the ground the teachers who have not obtained B.Ed degree certain benefits cannot be given.

According to learned counsel for the petitioner, the issue raised by the petitioner was considered in batch of petitions i.e. WPS No.4271/2017 (Jayant Kumar Patle vs. State of Chhattisgarh and ors.) and other cases by this Court vide order 03/11/2017. Therefore, the petitioner be also granted similar relief.

3. Learned State counsel would submit that the Court considered cases of teachers in different categories enumerated at para 6 of the said order. The petitioner being an appointee under the Rules of 2007 would require consideration in terms of the direction contained in para 46 of the said order.
4. Learned counsel for the petitioner would submit that the petitioner is already getting regular pay scale and increments also and the consideration would be confined to grant of revised pay scale.
5. In view of the aforesaid facts, the petitioner is given liberty to make a representation to the respondents No.4 & 5 within a period of 3 weeks, which shall be decided within a further period of 90 days, after verification of facts as to whether petitioner is entitled to get the benefit, in view of the judgment passed by this Court in case of Jayant Kumar Patle (supra) for grant of revised pay scale.
6. With the aforesaid observation, the petition stands disposed off.

Sd/-
Goutam Bhaduri
Judge

Ashok