

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4140 of 2020**

- Balak Ram Patel S/o Shri Data Ram Patel Aged About 42 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School, Usrout, Block And District Raigarh Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur District Raipur Chhattisgarh
2. Commissioner Cum Director Department Of Panchayat And Rural Development Mantralaya, Indrawati Bhawan, Naya Raipur, District Raipur Chhattisgarh
3. Chief Executive Officer Zila Panchayat Raigarh, District Raigarh Chhattisgarh.
4. District Education Officer Raigarh, District Raigarh Chhattisgarh.,
5. Block Education Officer Raigarh, District Raigarh Chhattisgarh.,

---- Respondents

For Petitioner : Mr. C.J.K. Rao, Advocate

For Respondents/State : Mrs. Richa Shukla, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****16.10.2020**

1. Heard.
2. The grievance of the petitioner is that he was appointed initially as Shiksha Karmi Grade-I on 22.07.2008, subsequently, his services were regularized on 11.04.2013, however, the State has issued an order

dated 08.03.2017 whereby it was ordered that the teachers who are not B.Ed/D.Ed pass shall not get the benefit of increment in pay-scale.

3. It is stated that the said issue has been set at rest by this Court 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), wherein the requirement of passing of B.Ed/D.Ed degree was diluted, therefore, the petitioner is also entitled to get the benefit in respect of the law laid down in the case of ***Jayant Kumar Patle (supra)***.
4. 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).
5. 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.
6. The writ petition stands accordingly disposed off.

sd/-
Goutam Bhaduri
Judge