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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2405 of 2023

1 - Mrs. Manjulata Prajapati W/o Mr. Ajay Prajapati Aged About 43 Years
Post Lecturer (Local Body) Posted At Govt. Higher Secondary School,
Bagodar Block Kanker District- Uttar Baster Kanker, Chhattisgarh

... Petitioner(s)

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 - Zila Panchayat Kanker Through Its Chief Executive Officer, Zila
Panchayat, District- Uttar Bastar Kanker, Chhattisgarh

4 - Deputy Director Local Fund Audit Jagdalpur, District :
Bastar(Jagdalpur), Chhattisgarh

... Respondent(s)

(Cause Title is taken from CIS System)

For Petitioner : Ms. Bhavika Kotecha, Advocate

For State : Ms. Vartika Shrivastava, Advocate



Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

15/04/2026

1. The petitioner has approached this Court being aggrieved by the action of the respondents in withdrawing the increment earlier granted to her on the ground that she has not passed the B.Ed./D.Ed. examination.
2. Learned counsel for the petitioner submits that the issue relating to withdrawal or non-grant of increment on the ground of non-possession of B.Ed./D.Ed. qualification has already been considered by this Court in **Jayant Kumar Patle v. State of Chhattisgarh (WPS No. 4271 of 2017 and connected matters)**, **decided on 03.11.2017**, wherein specific directions have been issued mandating that an opportunity of hearing be afforded to the concerned employee and a reasoned decision be taken thereafter.
3. Per contra, learned State counsel submits that the case of the present petitioner shall also be considered in accordance with the directions issued by this Court in the aforesaid judgment, after affording due opportunity of hearing and in accordance with law.
4. Having considered the submissions advanced by learned counsel for the parties and upon perusal of the material available on record, this Court deems it appropriate to dispose of the present



writ petition with a direction to the respondents to examine the petitioner's claim in the light of the judgment rendered in **Jayant Kumar Patle (supra)**. The respondents shall afford an adequate and effective opportunity of hearing to the petitioner, verify all relevant facts and documents, and thereafter pass a reasoned and speaking order strictly in accordance with law. The aforesaid exercise shall be completed within a reasonable period, preferably within 90 days from the date of receipt of a certified copy of this order.

5. It is made clear that this Court has not expressed any opinion on the merits of the case, and all issues are left open to be considered by the competent authority.
6. The writ petition stands accordingly disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shayna