

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1260 of 2015**

- Pandit Bhardwaj S/O Shri Vishwanath Pandey Aged About 40 years Upper Division Teacher Presently Incharge Mandal Co-Ordinator Office Of Block Education Officer Shankargarh District Balrampur Ramanujganj Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Schedule Cast And Schedule Tribe Development Mahanadi Bhawan New Raipur District Raipur Chhattisgarh
2. The Commissioner Department Of Schedule Cast And Schedule Tribe Development Indrawati Bhawan New Raipur, District Raipur Chhattisgarh
3. The Assistant Commissioner Tribal Development Balrampur Distt. Balrampur Ramanujganj Chhattisgarh
4. The Block Education Officer Shankargarh Distt. Balrampur Ramanujganj Chhattisgarh

---- Respondents

For Petitioner	:	Shri AN Pandey, Advocate
For Respondent/State	:	Shri AV Shridhar, PL for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****10/04/2015**

Heard learned counsel for the parties.

1. By this petition, the petitioner seeks a direction to the respondents to pay two advance increments on passing of B.Ed. examination; on his own cost, **after seeking permission from the department.**

2. Learned counsel appearing for the petitioner submits that the issue involved in the present case is no longer *res integra* as the same has been considered and decided by the Supreme Court in *Asha Saxena Vs. State of M.P. & Ors.*¹, as well as by this Court in *Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another*² and *Gopesh Kumar Verma vs. The State Govt. of Chhattisgarh and another*³.
3. Learned counsel further submits that the instant petition is squarely covered by the decision as aforestated. Thus, the petitioner may be permitted to make a representation to the respondents to decide his case for grant of two increments in the light of aforestated decisions, subject to verification of the facts as to whether the petitioner has acquired B.Ed. certificate on his own expenses **after entering into service**.
4. Learned State counsel appearing for the State/respondents submits that in the event, the petitioner makes representation, the same will be considered and decided, in accordance with law in the light of decisions of the Supreme Court in *Asha Saxena (supra)* as well as this Court in *Yashwant Kumar Bhardwaj (supra)* and *Gopesh Kumar Verma (supra)*, within a period of four weeks from the date of receipt of the representation.
5. In view of foregoing, according to the learned counsel appearing for the petitioner, nothing survives in this petition for adjudication.
6. Accordingly, the writ petition is disposed of.

JUDGE

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1 2009 (III) MPJR (SC) 59

2 2006 (II) MPJR –CG 96

3 *WP(S) No. 4310 of 2005*