

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 1258 of 2015**

1. Robentus Topp S/O Shri Johan Toppo Aged About 49 years Presently Working On The Post Of Headmaster Middle School Kakni Block Lundra Distt. Surguja Chhattisgarh
2. Sateshwar Lal So Late Pandav Ram Aged About 46 Years Presently Working On The Post Of Headmaster Middle School Majhipara (Jori) Block Lundra Distt. Surguja Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Schedule Cast and Schedule Tribe Development Mahandi Bhawan New Raipur Distt. Raipur Chhattisgarh
2. The Commissioner Department Of Schedule Cast And Schedule Tribe Development Indrawati Bhawan New Raipur Distt. Raipur Chhattisgarh
3. The Assistant Commissioner Tribal Development Ambikapur Distt. Surguja Chhattisgarh
4. The Block Education Officer Lundra District Surguja Chhattisgarh

---- Respondents

For Petitioners	:	Shri A.N. 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 petitioners seek a direction to the respondents to pay two advance increments on passing of B.Ed. examination; on their own cost, **after seeking permission from the department.**

2. Learned counsel appearing for the petitioners 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 petitioners may be permitted to make a representation to the respondents to decide their cases for grant of two increments in the light of aforestated decisions, subject to verification of the facts as to whether the petitioners have acquired B. Ed. certificates on their own expenses **after entering into service**.
4. Learned State counsel appearing for the State/respondents submits that in the event, the petitioners make representations, 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 petitioners, 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*