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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2651 of 2015**

1. Rajkumar Pathak S/o Shri Bhuvneshwar Prasad, Aged About 46 years Head Master, Presently Posted Government Primary School, Usarwahi, R/o Village- Usarwahi, Block-Bodla, Police Station- Rengakhar, Civil & Revenue District- Kabirdham (Chhattisgarh)
2. Loknath Choudhary, S/o Shri Jagat Singh Choudhary, Aged About 50 Years Head Master, Presently Posted Government Primary School, Chhitpuri Kala, R/o Village- Khara, Block-Bodla, Police Station- Rengakhar, Civil & Revenue District- Kabirdham (Chhattisgarh)

---- **Petitioner****Versus**

1. State of Chhattisgarh Through- Secretary, Department Of Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. District Education Officer, Kawardha, District Kabirdham (Chhattisgarh)
3. Joint Director Account Treasury & Pension, Raipur, District Raipur (Chhattisgarh)

---- **Respondents**

For Petitioners	:	Shri Ajit Singh, Advocate
For Respondents/State	:	Shri YS Thakur, Dy. AG for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****27/07/2015**

1. By this petition, the petitioners seek a direction to the respondents to pay two advance increments on passing of D.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*

¹ 2009 (III) MPJR (SC) 59

and another² 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 representation to the respondents to decide their case for grant of two increments in the light of aforestated decisions, subject to verification of the facts.
4. Learned State counsel appearing for the State/respondents submits that in the event, the petitioners make 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 petitioners, nothing survives in this petition for adjudication.
6. Accordingly, the writ petition is disposed of.

Sd/-

Judge

Prashant Kumar Mishra

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² 2006 (II) MPJR –CG 96

³ *WP(S) No. 4310 of 2005*