

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.2909 of 2015

- Suman Lal Sahu, S/o Shri Late Brij Lal Sahu, aged about 52 years, Head Master, presently posted Govt. Primary School, Village -Mohad, Block Rajnandgaon R/o Chikhali Ward No.5 Rajnandgaon, Police Station – Rajnandgaon, Civil & Revenue District Rajnandgaon (C.G.)

---- Petitioner

Versus

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

---- Respondents

For Petitioner	Mr. Ajit Singh, Advocate
For Respondent/State	Mr. Bhaskar Pyasi, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

11/08/2015

By this petition, the petitioner seeks a direction to the respondents to pay two advance increments on passing of B.Ed./D.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

¹ 2009 (III) MPJR (SC) 59

Kumar Bharadwaj Vs. Municipal Corporation, Durg 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 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./D.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 a 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.

Sd/-

Judge

(Prashant Kumar Mishra)

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² 2006 (II) MPJR –CG 96

³ WP(S) No. 4310 of 2005