

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3005 of 2015**

- Ishwar Soni S/o Late Shri Ram Ji Soni, Aged 41 Years Upper Division Teacher, Govt. Primary School, Durga Mandir, Khursipar Bhilai, Distt. Durg (Chhattisgarh)

---- Petitioner**Versus**

1. State Govt. of Chhattisgarh Through- The Secretary, School Education Department, P. S. Rakhi, New Raipur, Chhattisgarh
2. District Education Officer, Durg (Chhattisgarh)
3. Block Education Officer, Durg Distt. Durg, P. S. Durg, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Ajay Shrivastava, Advocate
For Respondents-State	:	Shri PK Bhaduri, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****18/08/2015**

1. By this petition, the petitioner seeks a direction to the respondents to pay two advance increments on passing of 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 Kumar Bharadwaj Vs. Municipal Corporation, Durg* and another² and *Gopesh Kumar Verma vs. The State Govt. of Chhattisgarh and another*³.

¹ 2009 (III) MPJR (SC) 59

² 2006 (II) MPJR –CG 96

³ *WP(S) No. 4310 of 2005*

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.
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/-

J U D G E

Prashant Kumar Mishra

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