

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2599 of 2015**

Smt. Sukhmani Lakra W/o Avisay Lakra Aged About 55 Years Working As Upper Division Teacher, Govt. Middle School Korkoma (Korba) R/o M-43, Rajgamar Colony, residence of Rajgamar, Tahsil and District Korba, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Schedule Caste And Schedule Tribe Department, Mahandi Bhawan, Mantralaya, P.S. Rakhi Tahsil Aarang Naya Raipur, District Raipur Chhattisgarh
2. Assistant Commissioner Tribal Welfare Department, Korba, District Korba, Chhattisgarh
3. Block Education Officer, Korba, District Korba, Chhattisgarh
4. Joint Director, Accounts, Treasury and Pension, Bilaspur District Bilaspur Chhattisgarh

---- Respondents**And****WPS No. 3741 of 2013**

Ramesh Kumar Dewangan S/o Shri Kedarnath Dewangan Aged About 39 Years Occupation Upper Division Teacher, at Govt. Basic Training Institute Bilaspur Block Bilha, P.S. Tarbahar, Distt. Bilaspur C.G.

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, School Education Department Mahanadi Bhawan, Distt. Raipur (C.G.)
2. District Education Officer District Bilaspur (C.G.)
3. The Principal Basic Training Institute Bilaspur, District Bilaspur (C.G.)

---- Respondents

For Petitioner	:	Mr.C.J.K.Rao, Advocate in WP(S) No.2599 of 2015
For Petitioner	:	Mr.Ashwani Shukla, Advocate in WP(S) No.3741 of 2013
For Respondents	:	Mr.Y.S.Thakur, Dy.Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

29/10/2015

1. Since the above two writ petitions involve common facts and common question of law, therefore, they are being considered and decided by this common order.
2. The petitioners were granted two advance increments on account of B.Ed. course after joining of service and after seeking permission from the department on the basis of order passed by this Court in the case of **Yashwant Kumar Bhardwaj** and by the order impugned, that has been directed to be withdrawn.
3. Mr.C.J.K.Rao and Mr.Ashwani Shukla, learned counsel appearing for the petitioners would submit that their cases are squarely covered by the decision of this Court in case of **Kunwar Kant Dewangan vs. State of Chhattisgarh & others** [WP(S) No.6927 of 2011], decided on 6.12.2013. Against that order, writ appeal filed by the State has also been dismissed and therefore, the petitioners are entitled for two advance increments.
4. Mr.Y.S.Thakur, learned Deputy Advocate General appearing for the State/respondents would submit that the petitioners may be directed to make the representations, then the authority will consider their representations in the light of decision rendered in the case of **Kunwar Kant Dewangan** (supra).
5. Accordingly, the writ petitions are disposed off with a

direction to the petitioners to make the representations along with copy of order passed in WP(S) No.6927 of 2011 dated 6.12.2013 before the Assistant Commissioner, Tribal Welfare Department, Korba/District Education Officer, Bilaspur, who in turn, shall consider the representations in the light of decision rendered in the case of **Kunwar Kant Dewangan** (supra) expeditiously. Till the decision of the representations, no coercive steps shall be taken against the petitioners. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-