

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1235 of 2015

- Barsai Painkra S/O Late Sahdeo Sai Painkra, Aged About 45 years Working As Lecturer Govt. Higher Secondary School Patthalgaon, District Jahspur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Tribal Welfare Department, Mantralaya, P.S. Rakhi, Tahsil Aarang, Naya Raipur District Raipur Chhattisgarh
2. Commissioner, Tribal Welfare Department, Raipur, P.S. City Kotwali Raipur, District Raipur Chhattisgarh
3. Assistant Commissioner Tribal Welfare Department, Jashpur, P.S. Jashpur, District Jashpur, Chhattisgarh
4. Joint Director Accounts, Treasury And Pension, Ambikapur, District Sarguja Chhattisgarh
5. The Block Education Officer, Block Patthalgaon, District Jashpur, Chhattisgarh

---- Respondents

For Petitioner	: Shri Ajeet Kumar Yadav, Advocate
For Respondent/State	: Shri Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

09/04/2015

1. At the very outset, learned counsel appearing for the parties jointly submit that this petition is squarely covered by the decision of this Court passed in case of *Athnase Minj and Another v. State of Chhattisgarh & Others (WPS No. 2212 of 2012, decided on 12/12/2013)* and other connected matters, and pray for passing of similar order as common facts and issues are involved in his petition also.
2. This court disposed of WPS No. 2212 of 2012 vide order dated 12/12/2013

in the following terms :

3. “Learned Deputy Advocate General appearing along with Shri Adil Minhaj and Ms. Raksha Awasthy, Panel Lawyers would submit that the matter pertains to grant two advance increments to teachers belong to Tribal Development and does not deal with the Shiksha Karmis or Teacher (Panchayat). He would submit that with respect to teachers belonging to Education Department raising similar grievances of grant of two advance increments, the State Government has formed a Committee, however, no such committee has been formed in the Tribal Department.

4. It appears, large number of teachers may be affected or covered under the circular issued by the State Govt. on 12/3/2007 and the State Govt. may be required to deal with the representations filed by hundreds of teachers.

5. Therefore, learned Deputy Advocate is directed to instruct the concerned department to form a committee in the same manner, as has been formed in the Education Department.

6. Since the circulars of both the departments are *pari materia*, the present batch of writ petitions are dispose of in the same terms as in the matter of *Kunwar Kant Dewangan v. State of Chhattisgarh & others (supra)*. The grievances raised by the petitioners shall be examined by the committee to be constituted as stated by learned Deputy Advocate General, within a period of two months and thereafter, the petitioners shall submit their representations within next one month and the same shall be decided by a speaking order, considering the decision rendered by this court in the matter of *Kunwar Kant Dewangan v. State of Chhattisgarh & others (supra)* and other connected matters, within a further period of two months. The committee may also entertain any representation directly submitted to it.”

3. Since this petition also involves the common facts and issues, the same is also disposed of in the terms mentioned hereinabove.

JUDGE