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IN THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR

W.P. (S) NO. 162/2015

PETITIONER

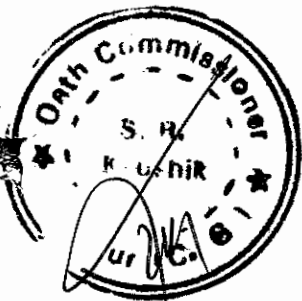
: Smt. Aradhana Jha W/o Shri Manish Kumar Jha, aged about 39 years, working as Shiksha Karmi Grade-I (Maths) Govt. Higher Secondary School, Mana Basti, District - Raipur (C.G.)

WPS-162/15
825/15
P.R.No.
Presented by Shri Aradhana Jha
dated 13.1.15

VERSUS

RESPONDENTS

- : 1. State of Chhattisgarh, Through, The Secretary, Panchayat and Social Welfare Department, Mahanadi Bhavan, Mantralaya, New Raipur, District- Raipur (C.G.).
2. Chief Executive Officer, Jila Panchayat, Raipur, District - Raipur (C.G.).



WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA



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HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench: Hon'ble Shri Justice P. Sam Koshy

Writ Petition (S) No. 162 of 2015

Petitioners

Smt Aradhana Jha

VERSUS

Respondents

State of Chhattisgarh and another

Present: Shri Ajay Shrivastava, counsel for the petitioner.
Shri Adil Minhaz, PL for the State.

Oral Order
(21.01.2015)

The petitioner through the instant petition, has sought for a relief that the State Government may be directed to consider her case for grant of two advance increments from the date of passing of B.Ed Examination, as is being given to the Government Teachers by the State Government.

2. Counsel for the petitioner submits that the only difference in the instant case is that the petitioner has been appointed as *Siksha Karmi* but the nature of duties imparted by the *Siksha Karmis* and that the Government Teacher are same and that the Government has also taken a policy decision that the *Sikhas Karmis* should also be given a pay scale of a Government Teacher and therefore, the benefits attached and extended to the post of a Government Teacher should also be extended to *Siksha Karmis*.

3. State counsel opposes this prayer of the petitioner on the ground that the substantive appointment of the petitioner is entirely different from that of a Government Teacher and therefore, the benefits which have been extended by the Government to a Government Teacher cannot be made applicable for *Siksha Karmis*.

4. At this juncture, counsel for the petitioner makes a request that the petitioner has already made a representation to respondent No.2 but till date, the same has not been decided and the grievance of the petitioner would be redressed in case the State Government takes a decision on the said representation.

5. To this, the State counsel does not have any objection.

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6. Without expressing any opinion on the merits of the case, this Court feels that ends of justice would meet in case the petitioner is directed to make a fresh representation to the respondents within a period of 3 weeks from today and on such representation being made, the State Government would take a decision in accordance with law applicable on its own merits within a further period of 3 months from the date of filing of the writ petition.

7. With the aforesaid direction, the writ petition is accordingly disposed of.

Sd/-
P. Sam Koshy
Judge

Priya