

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2467 of 2016

Anand Prasad Painkra S/o Bhikam Sai, Aged About 46 Years Working As Upper Division Teacher, Govt. Middle School, Dom Block Duldula, P. S. Duldula, District Jashpur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through, The Secretary Education Department Mahanadi Bhawan, Mantralaya P. S. Rakhi, Tahsil Arang, New Raipur District Raipur, Chhattisgarh.
2. District Education Officer, Jashpur, District Jashpur, Chhattisgarh.
3. Block Education Officer, Block Farsabahal, District Jashpur, Chhattisgarh.
4. Joint Director Accounts And Treasury, Ambikapur, District Sarguja, Chhattisgarh.

---- Respondents

Shri CJK Rao, counsel for the petitioner/s.
Shri Gary Mukhopadhyaya, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/09/2016

Though notices have been issued earlier, reply has not been filed.

Learned counsel for the petitioner, at this stage, prays that this petition may be disposed off with a direction to the respondent authorities to consider petitioner's representation as ordered in WPS No.3994/ 2014.

2. Learned counsel 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 the case of **Asha Saxena v. State of M.P. & Ors, 2009 (III) MPJR (SC) 59** as well as by this Court in **Yashwant Kumar Bharadwaj v. Municipal Corporation, Durg and Anr., 2006 (II) MPJR – CG 96** and **Gopesh Kumar Verma v. The State Government of Chhattisgarh and anr.** in WPS No.4310/2005.

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 as to whether the petitioner has acquired B.Ed. Certificate on her own expenses after entering into service.
4. Learned State counsel submits that in the event, the petitioner makes 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 Bharadwaj (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 off.

Sd/-

(Manindra Mohan Shrivastava)

Judge