

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 5115 of 2017**

Rohit Ram Nirala S/o Late Resham Lal Nirala, Aged About 70
Years R/o At Post Bhatgaon (Nagar Panchayat) Tahsil Bilaigarh,
District Balodabazar Bhatapara Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. District Education Officer, Balodabazar District Balodabazar Bhatapara Chhattisgarh.
3. Block Education Officer, Block Bilaigarh, District Baloda Bazar Bhatapara (Chhattisgarh)
4. Joint Director, Treasury, Accounts, Raipur District Raipur (Chhattisgarh)

...Respondents

For Petitioner	:	Mr.K.P. Sahu, Advocate
For State-respondent	:	Mr.Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****27/09/2017**

Heard.

1. By this petition, the petitioner seeks a direction to the respondents to pay two advance increments on passing of B.Ed. Examination, on his own expenses, before entering into service.
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. [2009 (III) MPJR (SC)***

59] as well as by this Court in the matter of ***Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg & another [2006 (II) MPJR-CG 96]*** and ***Gopesh Kumar Verma Vs. The State Govt. of Chhattisgarh and another [WP(S) No.4130 of 2005]***.

3. Learned counsel for the petitioner 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 respondent authorities to decide his case for grant of two increments in the light of aforestated decision, subject to verification of the fact as to whether the petitioner has acquired B.Ed. certificate on his own expenses before entering into service.
4. Learned 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 and in the light of the decisions of the Supreme Court in *Asha Saxena (supra)* as well as this Court in *Yashwant Kumar Bharadwaj* and *Gopesh Kumar Verma (supra)*, within a period of four weeks from the date of receipt of the representation.
5. In view of the 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)

J U D G E