

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 2267 of 2017**

- Premlal Dadsena S/o. Shri P. R. Dadsena, Aged About 63 Years R/o Village And Post Purgaon, Block 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	:	Shri KP Sahu, Advocate
For Respondents-State	:	Ms. Sunita Jain, PL for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****15/05/2017**

1. By this petition, the petitioner seeks a direction to the respondents to pay two advance increments on passing of B.Ed./BTI examination; on his own cost, after seeking permission from the department.
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.¹**, as well as by this Court in **Yashwant Kumar Bharadwaj**

Vs. Municipal Corporation, Durg and another² and Gopesh Kumar Verma vs. The State Govt. of Chhattisgarh and another³.

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./BTI certificate on his own expenses after entering into service.
4. Learned State 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 in the light of decisions of the Supreme Court in Asha Saxena (supra) as well as this Court in Yashwant Kumar Bhardwaj (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 of.

Sd/-

J U D G E

Prashant Kumar Mishra

Ashu

² 2006 (II) MPJR –CG 96

³ WP(S) No. 4310 of 2005