

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 2666 of 2017**

Bedram Manhar S/o Shri Baisakhu Ram Manhar, Aged About 62 Years
 Village Bandari, P. O. Bhatgaon, Tahsil Bilaigarh, District Balodabazar
 Bhatapara Chhattisgarh.

---- Petitioner**Versus**

1. State of Chhattisgarh through the Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. District Education Officer, Balodabazar, District Balodabazar Bhatapara Chhattisgarh.
3. Block Education Officer, Block Bilaigarh, District Balodabazar Bhatapara (Chhattisgarh)
4. Joint Director, Treasury, Accounts, Raipur, District Raipur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri K. P. Sahu, Advocate
For Respondent/State	:	Shri Rajendra Tripathi, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****23/06/2017**

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, the present writ petition stands disposed of with a direction to the respondents that in the event the petitioner makes a representation, the same shall be decided in the light of the undertaking of the State counsel as expeditiously as possible.

6. Accordingly, the writ petition stands disposed of.

**Sd/-
(P. Sam Koshy)
JUDGE**

Bhola

¹ 2009 (III) MPJR (SC) 59

² 2006 (ii) MPJR-CG 96

³ WP(S) No. 4310 of 2005