

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3330 of 2017**

Smt. Pradeep Pathak W/o Shri L. R. Pathak, Aged About 63
Years R/o Plot No. 97, Street No. 4, Bardiya Vihar, Amlidih,
District Raipur (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, School Education
Department, Mahanadi Bhawan, New Mantralaya, District Raipur
(Chhattisgarh)
2. District Education Officer, Raipur, District Raipur, Chhattisgarh
3. The Block Education Officer, Dharsiwa, District Raipur,
Chhattisgarh
4. The Principal, School Dunda, Raipur, District Raipur, Chhattisgarh
5. The Joint Director, Treasury, Account And Pension Raipur
Division Raipur (Chhattisgarh)

...Respondents

For Petitioner	:	Mr.Abhishek Singh, Advocate
For State-respondent	:	Mr.S.P. Kale, Dy. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****26/07/2017**

Heard.

1. With the consent of learned counsel for the parties, the matter is heard finally.
2. By this petition, the petitioner seeks a direction to the respondents to pay two advance increments on passing of B.Ed. Examination, on her own expenses, before entering into service.
3. 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]***.

4. 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 her 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 her own expenses before entering into service.
5. 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.
6. In view of the foregoing, according to the learned counsel appearing for the petitioner, nothing survives in this petition for adjudication.
7. Accordingly, the writ petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)

J U D G E