

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4904 of 2017**

Motilal Dewangan S/o Shri Purushottam Dewangan, Aged About
65 Years R/o At Post Bilaigarh, 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 Balodabazar
Bhatapara Chhattisgarh.
4. Joint Director, Treasury, Accounts, Raipur, District Raipur
Chhattisgarh.**Respondents**

For Petitioner	:	Mr. K.P. Sahu, Advocate
For State	:	Mr. S.P. Kale, Dy. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****22/09/2017**

Heard.

1. By this petition, the petitioner seeks a direction to the respondents to pay two advance increments on passing B.Ed. / BTI examination on his own cost, after seeking permission from the department.
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./ BTI Certificate on his 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)

J U D G E