

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2253 of 2018**

Hemant Kumar Sahu S/o Shri Tulasram Sahu, Aged About 43 Years
Head Master, Government Primary School Putpura Block Kasdol
District Raipur At Present Working As Assistant Block Education
Officer Block Fingeshwr, District Gariyaband Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, The Secretary, Education Department
Mahanadi Bhawan New Mantralaya, Raipur Chhattisgarh.
2. Directorate Of Public Instruction, New Mantralaya Raipur District
Raipur Chhattisgarh.
3. District Education Officer, Gariyaband District Gariyaband
Chhattisgarh.
4. Block Education Officer, Fingeshwar District Gariyaband
Chhattisgarh.

----Respondents

For Petitioner	:	Mr. R.S. Patel, Advocate
For State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****13/03/2018**

1. Counsel for the petitioner submits that the petitioner is entitled to benefit of two advance increments on account of he having passed B.Ed. Examination before his appointment at his own expenses. It is submitted that the issue involved in the present petition is no longer ***res integra*** and the same has been finally decided by the Hon'ble Supreme Court in the case of Asha Saxena v. State of M.P. & Ors.2009 (III) MPJR (SC)
2. It is further submitted that Coordinate Bench of this Court has also taken a similar view in its order dated 06/02/2009 passed in WPS No.6257/2008. Counsel for the petitioner further submits that the order dated 29/04/2010 passed in Writ Appeal No.124/2009,

wherein relying upon the judgment of the Supreme Court in the case of Asha Saxena (supra) and the order passed by this Court in another Writ Appeal No.87/2009, directions have been issued for consideration of the case for grant of two advance increments as per circulars dated 05.01.2011 and 24.12.1998 issued by the State of Chhattisgarh, after verification of the facts pleaded in the petition.

3. Counsel for the State submits that case of the petitioner would also be considered on the same lines.
4. In view of above, the petition is disposed off with a direction to the respondent authorities to decide the claim of the petitioner for grant of two advance increments as per circulars dated 05.01.2011 and 24.12.1998 issued by the State of Chhattisgarh after verification of the facts pleaded in the petition within a period of eight weeks from today.

Sd/-
(P. Sam Koshy)
Judge

Ved