

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 1846 of 2013**

1. Madhu Sharma D/o Narottam Prasad Sharma, W/o Ramanand Sharma Aged About 47 Years Upper Division Teacher, Govt. Middle School, Santoshi Nagar, Raipur, Block Dharsiva, District Raipur, Chhattisgarh R/o B/5, Dawra Colony, Near Pachpedi Naka, Veena Vihar, Raipur Police Station Tikrapara, Revenue And Civil District Raipur, Chhattisgarh
2. Satya Prakash Verma S/o Kartik Ram Verma Aged About 49 Years Upper Division Teacher, Govt. Middle School, Sanjay Nagar, Raipur, Block Dharsiva, District Raipur, Chhattisgarh R/o Village Tanda, Post Office Akoli (Madhar), Police Station Dharsiva, Revenue And Civil District Raipur, Chhattisgarh
3. Pushkar Kumar Verma S/o Kartik Ram Verma Aged About 51 Years Head Master, Govt. Primary School, Tor, Block Dharsiva, District Raipur, Chhattisgarh R/o Village Tanda, Post Office Akoli (Modhar), Police Station Dharsiva, Revenue And Civil District Raipur, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mantralaya New Raipur, Police Station Rakhi, District Raipur, Chhattisgarh
2. District Education Officer Raipur, District Raipur, Chhattisgarh
3. Block Education Officer Dharsiva, District : Raipur, Chhattisgarh
4. The Arthik Dava Nirakaran Samiti, Through Its Chairman, Office Of Directorate, Lok Shikshan, State Of Chhattisgarh, Raipur, District : Raipur, Chhattisgarh

----Respondents

For Petitioners	:	Ms. Laxmeen Kashyap, Advocate
For State	:	Mr. Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****23/07/2018**

1. The challenge in the present writ petition is to the action on the part of the respondents in denying the benefits of two advance increments to the petitioners, who have undertaken the course of D.Ed.
2. The contention of the petitioners is that pending the petition, the State Government itself has subsequently taken a decision for grant of two advance increments to the employees, who have obtained D.Ed. course. Further it is

also the case of the petitioners that now the issue whether the qualification has been obtained prior to the coming into service or subsequent to the coming into the service as is no longer an issue as the Government has decided to grant this benefits to all the persons, who have obtained the additional qualifications of B.Ed./B.T.I./D.Ed.

3. This aspect is not disputed by the State counsel, though the State counsel submits that at the relevant point of time, as per the then prevailing circumstances, the petitioners' claim were rightly rejected.
4. Given the facts and circumstances of the case and also taking note of the various decisions by this Court, wherein this Court has been allowing the prayer of the similarly placed petitioners, who have completed B.Ed./B.T.I./D.Ed. education, ordering grant of two advance increments, this Court is also inclined to allow the present writ petition and set-aside the impugned order (Annexure P/1) and direct the respondent No.2 to reconsider the case of each of the petitioners. In the event if they have the qualification for grant of two advance increments, the case of the petitioners should be processed and decided at the earliest preferably within a period of 60 days from the date of communication of the order passed by this Court.
5. It shall be the responsibility of the petitioners to communicate the order of this Court to the respondent No.2.
6. The writ petition accordingly stands allowed and disposed off.

Sd/-
(P. Sam Koshy)
Judge