

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 4579 of 2018**

1. Anil Kumar Jatav S/o Shri Sudama Lal Jatav, aged about 35 years, working as Teacher (Panchayat) and Posted at Government Middle School Modakpali, Block Bhopalpatnam , District Bijapur, Chhattisgarh
2. Shailendra Kumar Jhadi S/o Late Rajaiya Jhadi, aged about 44 years, Working as Lecturer (Panchayat) and Posted at Government Girls Higher Secondary School Bhopalpatnam, Block Bhopalpatnam, District Bijapur Chhattisgarh
3. Gagan Pambhoi D/o Deval Singh Dhurwey, W/o Indraraj Pambhoi, aged about 49 years, Working as Lecturer (Panchayat) and Posted at Government Girls Higher Secondary School Bhopalpatnam, Block Bhopalpatnam District Bijapur Chhattisgarh
4. Umadevi Vasam D/o Lalu Ram Vasam, aged about 47 years, Working as Lecturer (Panchayat) and Posted at Government Higher Secondary School Saknapalli, Block Bhopalpatnam, District Bijapur, Chhattisgarh
5. Keshaw Prasad Sahu S/o Shri Makhan Lal Sahu, aged about 42 years, Working as Teacher (Panchayat) and Posted at Government Middle School Meenur, Block Bhopalpatnam, District Bijapur Chhattisgarh
6. Rajanna Atti S/o Late Shri Sambhaiya Atti, aged about 41 years, Working as Lecturer (Panchayat) and Posted at Government Boys Higher Secondary School Bhopalpatnam, Block Bhopalpatnam District Bijapur Chhattisgarh
7. Argel Tirupati S/o Shankraiya, aged about 50 years, Posted at Government Middle School Minoor, Block Bhopalpatnam, District Bijapur Chhattisgarh

---- Petitioners

Versus

1. State of Chhattisgarh Through Secretary, Department of Panchayat Mahanadi Bhawan Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. Secretary, Department of School Education, Mahanadi Bhawan Mantralaya, New Raipur, District Raipur, Chhattisgarh
3. Chief Executive Officer, Zila Panchayat Bijapur, District Bijapur Chhattisgarh

---- Respondents

For Petitioners	:	Shri Ajay Shrivastava, Advocate
For Respondent/State	:	Shri Shashank Thakur, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****13/07/2018**

The limited prayer which the petitioners have sought in this writ petition is for a direction to respondent no.1 to take a decision on the claim of the petitioners for grant of two advance increments on their obtaining B.Ed./D.Ed. certificate both prior to appointment as well as subsequent to the appointment which is being otherwise provided to the Govt. teachers.

2. The claim of the petitioners is based on the fact that the nature of duties discharged by them as Shiksha Karmis are identical and similar to the government teachers and their services have also now got merged with the Education Department. Therefore, the benefits which are being extended to the government teachers should also be extended to the petitioners. The petitioners in this regard have made representations to the respondents which are collectively marked in the petition as Annexure P-4.

3. Given the nature of dispute and also the fact that the claim of the petitioners would require a policy decision on the part of the State Govt., this court does not intend to keep the petition pending any further, rather ends of justice would meet if the petition is disposed of with a direction to respondents 1 & 2 to take a decision in this regard as to whether the petitioners would also be entitled for similar benefits as are being granted to the regular government teachers. It is ordered accordingly. Let this exercise be concluded within a period of 4 months from the date of receipt of certified copy of this order. It shall be the responsibility of the petitioner to bring the order of this Court to the notice of respondents 1 & 2 along with any fresh representation, if they so prefer.

4. It is made clear that this Court has not expressed anything on merits of the case so far as the entitlement of the petitioners are concerned. The Respondents shall be at liberty to take a decision independently.

Sd/-
(P. Sam Koshy)
JUDGE