

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 6214 of 2018

Gorelal Aditya S/o Shivcharan Aditya, Aged About 59 Years, Presently Posted As Head Master At Govt. Middle School, Dharsiwa Block 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	:	Shri K.P.Sahu, Advocate.
For State	:	Ms. Astha Shukla, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20/09/2018

1. Ignoring the default pointed out by the registry for the moment, with the consent of the parties the matter was heard finally and disposed off.
2. 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.
3. 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.

4. 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.

5. 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.

6. In view of 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/-

(P. Sam Koshy)
JUDGE

Sumit