

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 5893 of 2018**

Jhunni Ram Dewangan S/o Jhuru Ram Dewangan Aged About 60 Years Presently Posted As Head Master At Govt. Middle School, Bandari, Block Bilaigarh, District Balodabazar-Bhatapara, Chhattisgarh.

---- Petitioners**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 KP Sahu, Advocate
For State	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****10/09/2018**

1. Heard.
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 aforesaid. 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 aforesaid 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

inder