

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6172 of 2018

1. Shyam Lal Navratna S/o Tulsi Prasad Navratna, Aged About 42 Years, Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School, Khursula, Block Bilaigarh, District Balodabazar Bhatapara (Chhattisgarh).
2. Pratap Kumar Kurrey, S/o Govardhan Das Kurrey, Aged About 48 Years, Presently Working As Teacher (L.B.) At Govt. Boys Middle School, Sarsiwa, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
3. Birendra Kumar Banjare, S/o Kondu Ram Banjare, Aged About 42 Years, Presently Working As Lecturer (L.B.) At Govt. High School, Kaitha, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
4. Smt. Jyoti Ekka, W/o Mukti Prasad Ekka Aged About 40 Years, Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School, Gharjara, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
5. Smt. Bharati Singh, W/o Mukesh Singh, Aged About 44 Years, Presently Working As Teacher (L.B.) At Adarsh Govt. Primary School, Gadapali, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
6. Kumar Bharti, S/o Ramesh Bharti, Aged About 42 Years, Presently Working As Teacher (L.B.) At Govt. Middle School, Tend, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
7. Rajesh Kumar Jaiswal, S/o Chhedu Ram Jaiswal, Aged About 47 Years, Presently Working As Teacher (L.B.) At Govt. High School, Dhobani, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
8. Anjana Kerketta D/o Sirjiyas Kerketta, Aged About 38 Years, Presently Working As Teacher (L.B.) At Govt. Boys Higher Secondary School, Sarsiwa, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
9. Uma Surya, D/o Dinesh Kumar Surya, Aged About 29 Years, Presently Working As Teacher (L.B.) At Govt. Middle School, Senduras, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
10. Umashankar Sahu S/o Shyam Lal Sahu, Aged About 44 Years, Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Sarsiwa, Ambedkar Para Nardha, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
11. Hemlata Toppo, W/o Sushil Toppo, Aged About 41 Years, Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School, Dhobni, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.

12. Sanjeev Kumar Patel, S/o Shri Laxmi Chand Patel, Aged About 47 Years, Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School, Dhobani, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
13. Smt. Kusum Madhuri Ekka, W/o Shri Sagar Ekka, Aged About 37 Years, Presently Working As Teacher (L.B.) At Govt. Middle School, Pendrawan, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
14. Ramkrishna Tiwari, S/o Shantiswarup Tiwari, Aged About 33 Years, Presently Working As Teacher (L.B.) At Govt. Middle School, Jamgahan, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
15. Shanti Lal Sahu, S/o Subhash Chandra Sahu, Aged About 45 Years, Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School, Pendrawan, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
16. Manoj Kumar Sahu, S/o Shri Bhagwat Prasad Sahu, Aged About 37 Years, Presently Working As Teacher (L.B.) At Govt. Middle School, Pendrawan, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
17. Jagdeesh Prasad Ratre, S/o Yad Ram Ratre, Aged About 41 Years, Presently Working As Lecturer (L.B.) At Govt. Boys Higher Secondary School, Sarsiwa, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
18. Meena Jangde, W/o Raj Kumar Jangde, Aged About 37 Years, Presently Working As Teacher (L.B.) At Govt. Middle School, Sarsiwa, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
19. Haricharan Kurrey, S/o Mansha Ram Kurrey, Aged About 47 Years, Presently Working As Lecturer (L.B.) At Govt. High School, Durug, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
20. Makardwaj Patel, S/o Lalsai Patel, Aged About 38 Years, Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Kariyatar, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
21. Aarti Bharti, W/o Arun Kumar Bharti, Aged About 42 Years, Presently Working As Teacher (L.B.) At Govt. Primary School, Tedhibhadra, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.
22. Duj Ram Kurrey, S/o Sukhdev Ram Kurrey, Aged About 43 Years, Presently Working As Teacher (L.B.) At Govt. Middle School, Bilaspur, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.

23. Tilak Singh Nrisingh, S/o Devcharan Nrisingh, Aged About 40 Years, Presently Working As Teacher (L.B.) At Govt. Middle School, Tedhibhadra, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh.

---Petitioners

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya P.S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur Chhattisgarh.
2. Secretary, Department Of Education, Mantralaya, P.S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur Chhattisgarh.
3. Chief Executive Officer, Zila Panchayat, Balodabazar, District Balodabazar Bhatapara Chhattisgarh.

---Respondents

For petitioners	:	Shri K.P.Sahu on behalf of Shri C.J.K.Rao, Advocate.
For State	:	Shri Ratan Pusty, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20/09/2018

1. 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.

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 the petitioners to make a detailed representation in this regard within 2 weeks' from today and on receipt of such representation the respondents 1 & 2 shall take a decision in this regard by verifying 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

Sumit