

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO.6283 OF 2018**

1. Janta Ram Kaiwartya S/o Mahettar Ram Kaiwartya Aged About 50 Years Working As Teacher (Panchayat) At Govt. Unnat Middle School Machaha, Block Masturi, District Bilaspur, Chhattisgarh.
2. Keshaw Prasad Patel S/o Itwari Ram Patel Aged About 42 Years Working As Teacher (Panchayat) At Govt. Middle School Kewtadih (Bhutaha), Block Masturi, District Bilaspur, Chhattisgarh.
3. Rohit Kumar Prajapati S/o Radhe Lal Prajapati Aged About 48 Years Working As Teacher (Panchayat) At Govt. Middle School Gopalpur, Block Masturi, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Purushottam Chandrakar S/o Vishambhar Lal Chandrakar Aged About 49 Years Working As Teacher (Panchayat) At Govt. Middle School Machaha, Block Masturi, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
5. Komal Prasad Sahu S/o Jivan Lal Sahu Aged About 47 Years Working As Teacher (Panchayat) At Govt. Middle School Malhar, Block Masturi, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
6. Kamlesh Kumar Patel S/o Indal Prasad Patel Aged About 45 Years Working As Lecturer (Panchayat) At Govt. Girls Higher Secondary School Pachpedi, Block Masturi, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
7. Chetan Prasad Sahu S/o Badri Prasad Sahu Aged About 38 Years Working As Lecturer (Panchayat) At Govt. Girls Higher Secondary School Pachpedi, Block Masturi, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

...Petitioner(s)**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Secretary Department Of School Education Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Executive Officer Zila Panchayat Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

... Respondent(s)

For Petitioners	:	Shri Govind Dewangan, Advocate.
For Respondent-State	:	Shri Adhiraj Surana, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25.09.2018**

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. The petitioners in this regard have made representations to the respondents.
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