

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6437 of 2018**

1. Devendra Kumar Verma S/o. Loknath Verma, Aged About 38 Years Working As Teacher (L.B.) At Govt. Middle School Odan, Block Pallari, District Baloda Bazar Bhatapara Chhattisgarh.
2. Lakhan Lal Douriya S/o. Balaram Douriya, Aged About 50 Years Working As Lecturer (L.B.) At Govt. Higher Secondary School Odan, Block Palari, District Baloda Bazar Bhatapara Chhattisgarh.
3. Kalam Das Ghrilahare S/o. Chhattan Das Ghrilahare, Aged About 42 Years Working As Lecturer (L.B.) At Govt. Higher Secondary School Odan, Block Palari, District Baloda Bazar Bhatapara Chhattisgarh.
4. Santosh Kumar Dadsena S/o. Asharam Dadsena, Aged About 43 Years Working As Lecturer (L.B.) At Govt. Higher Secondary School Odan, Block Palari, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
5. Chandra Bhuwan Mandale S/o. Dau Lal Mandale, Aged About 56 Years Working As Lecturer (L.B.) At Govt. Middle School Odan, Block Palari, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
6. Ku. Heera Thakur D/o. Mankar Singh Thakur, Aged About 44 Years Working As Lecturer (L.B.) At Govt. Higher Secondary School Odan, Block Palari, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
7. Smt. Madhu Mandale W/o. Chandra Bhuwan Mandale Aged About 47 Years Working As Lecturer (L.B.) At Govt. Higher Secondary School Odan, Block Palari, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
8. Bishesar Singh Sahu S/o. Kothari Ram Sahu, Aged About 48 Years Working As Lecturer (L.B.) At Govt. Higher Secondary School Odan, Block Palari, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
9. Sumit Kumar Tandan S/o. Mohan Lal Tandan, Aged About 35 Years Working As Lecturer (L.B.) At Govt. Higher Secondary School Odan, Block Palari, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
10. Dinesh Kumar Chandrakar S/o. Shankar Lal Chandrakar, Aged About 35 Years Working As Assistant Teacher (L.B.) At Govt. Higher Secondary School Odan, Block Palari, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
11. Smt. Bhagwati Tandan W/o. Sumit Kumar Tandan, Aged About 32 Years Working As Assistant Teacher (L.B.) At Govt. Primary School Chorhadih, Block Palari, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

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Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Director, Directorate Of Public Instruction, Indravati Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. District Education Officer, Baloda Bazar Bhatapara, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
5. Block Education Officer Pallari, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

----Respondents

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

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/09/2018

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 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 petitioners 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