

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 6531 of 2018**

Prem Sagar Kashyap S/o Dasha Ram Kashyap, Aged About 42 Years, Working As Lecturer (L.B.) At Govt. Higher Secondary School Birra, Block Bamhndih, District Janjgir Champa, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh
2. Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh
3. Director, Directorate Of Public Instruction, Indravati Bhawan, Naya Raipur, District Raipur, Chhattisgarh
4. District Education Officer, Janjgir Champa, District Janjgir Champa Chhattisgarh
5. Block Education Officer Bamhndih, District Janjgir Champa Chhattisgarh

---- Respondents

For Petitioners	:	Shri Govind Dewangan, Advocate
For Respondent/State	:	Shri Ratan Pusty, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****03/10/2018**

Ignoring the default pointed out by the Registry, with the consent of the parties, the matter is finally disposed of at motion stage.

2. The limited prayer which the petitioner has sought in this writ petition is for a direction to respondent no.1 to take a decision on the claim of the

petitioner for grant of two advance increments on his 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.

3. The claim of the petitioner is based on the fact that the nature of duties discharged by him as Shiksha Karmi is identical and similar to the government teachers and his service has 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 petitioner. The petitioner in this regard has made representation to the respondents.

4. Given the nature of dispute and also the fact that the claim of the petitioner 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 petitioner 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 he so prefers.

5. It is made clear that this Court has not expressed anything on merits of the case so far as the entitlement of the petitioner is concerned. The Respondents shall be at liberty to take a decision independently.

Sd/-
(P. Sam Koshy)
JUDGE