

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 6542 of 2018

Ram Singh Shori S/o Jangiram Shori, Aged About 52 Years, Posted As A Lecturer At Government Higher Secondary School, Barbhum, District Balod Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, School Education Department Ministry, Mahanadi Bhawan, Naya Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. District Education Officer, Balod, District Balod Chhattisgarh.

---Respondents

For petitioner	:	Shri Shikhar Bakhtiyar, Advocate.
For State	:	Shri Syed Majid Ali, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04/10/2018

1. The petitioner is working as Assistant Teacher in the government school. In the course of his services as Assistant Teacher, the petitioner has obtained D.Ed. Examination Certificates in the year 2000 on his own expenses.
2. Learned counsel for the petitioner submits that the question involved, herein as to whether the teachers who obtained D.Ed. Examination Certificates on their own expenses, are entitled to two advance increments.
3. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj v. Municipal Corporation Durg and another

[2008 (II) MPJR-CG 96]. This Court in the case of Yashwant Kumar Bharadwaj (Supra), came to the conclusion that the teachers, who had obtained B.Ed/B.T.I. Examination Certificate on their own expenses, are covered by the circular dated 24/12/1998 issued by the State Government of Madhya Pradesh.

4. In subsequent cases, i.e. WP (S) No. 4130 of 2005 (Gopesh Kumar Verma v. The State Govt. of Chhattisgarh and another) and other connected matters, decided by this Court on 15/12/2006, pursuant to the memo dated 28/01/1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Base Training Institute i.e. B.T.I. has been changed and renamed as Diploma in Education i.e. D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S) No. 4130/2005 (Gopesh Kumar Verma) (Supra).

5. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.

6. Accordingly, the writ petitioner is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj (Supra), subject to verification of the fact as to whether the petitioner has acquired D.Ed. Examination

Certificates on his own expenses as per the circulars dated 24/12/1998 & 01/03/1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit