

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 6757 of 2018**

1. Abhijeet Shrivastava S/o Shri A.K. Shrivastava, Aged About 37 Years Working As Teacher (L.B.) And Posted At Govt. Middle School Pairitikara, Block Gourella, District Bilaspur Chhattisgarh
2. Sunil Kumar Dhritlahare, S/o Shri Daya Ram Dhritlahare Aged About 36 Years Working As Assistant Teacher (L.B.) And Posted At Govt. Primary School Tikarkhurd, Block Gourella, District Bilaspur Chhattisgarh
3. Anil Kumar Baghel, S/o Hajarilal Baghel, Aged About 41 Years Working As Assistant Teacher (L.B.) And Posted At Govt. Primary School Kateltola, Block Gourella, District Bilaspur Chhattisgarh
4. Smt. Anusuiya Pandey, W/o Shri Akhilesh Kumar Pandey, Aged About 40 Years Working As Teacher (L.B.) And Posted At Govt. Middle School Gorakhpurpara, Block Gourella, District Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur Chhattisgarh
2. Secretary, Department Of School Education Mahanadi Bhawan, Mantralaya New Raipur, District Raipur Chhattisgarh
3. Chief Executive Officer, Zila Panchayat, Bilaspur, District Bilaspur Chhattisgarh
4. District Education Officer, Bilaspur, District Bilaspur Chhattisgarh
5. Chief Executive Officer, Janpad Panchayat, Gourella, District Bilaspur Chhattisgarh

---- Respondents

For Petitioners	:	None
For Respondent/State	:	Shri D. Wankhede, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

10/10/2018

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 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**