

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 6696 of 2018**

1. Brijbhooshan Prasad Verma S/o Shatruhan Prasad Verma Aged About 35 Years Presently Working As Teacher (L.B.) At Govt. Middle School, Kumhari Block Baloda Bazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
2. Smt. Pramila Verma W/o Prithviraj Verma Aged About 35 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Mungesar, Block Arang, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Smt. Kusumlata Verma W/o Daulat Ram Verma Aged About 32 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Magarchaba, Block Balodabazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
4. Smt. Savita Sahu W/o Santkumar Sahu Aged About 41 Years Presently Working As Teacher (L.B.) At Govt. Middle School, Bhalukona, Block Balodabazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
5. Daneshwar Prasad Sahu S/o Ibarat Lal Sahu Aged About 38 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Dongra, Block Balodabazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
6. Santosh Kumar Patel S/o Birsingh Patel Aged About 36 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Kumhari, Block Balodabazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
7. Kamalnarayan Patel S/o Birsingh Patel Aged About 47 Years Presently Working As Teacher (L.B.) At Govt. Middle School, Chhuiya, Block Bilaigarh, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
8. Nand Kumar Sahu S/o Ramnarayan Sahu Aged About 38 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Hardi, Block Balodabazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
9. Bhoopendra Kumar Kaiwart S/o Babulal Kaiwart, Aged About 36 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Hardi, Block Balodabazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
10. Narayan Prasad Verma S/o Ram Singh Verma Aged About 32 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Turma, Block Balodabazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

11. Dilchand Jangade S/o Shyam Lal Jangade Aged About 36 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Hardi, Block Balodabazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
12. Virendra Kumar Chelak S/o Khorbahara Chelak Aged About 43 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Bagbuda, Block Balodabazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
13. Sunil Kumar Chelak S/o Doojram Chelak Aged About 35 Years Presently Working As Assistant Teacher (L.B.) At Govt. Navin Primary School, Navapara, Block Kasdole, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
14. Lakheshwar Lal Sahu S/o Dukhu Ram Sahu Aged About 43 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Kosamsara, Block Kasdole, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
15. Dataram Sahu S/o Murit Ram Sahu Aged About 52 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Hadhapara, Kasdole, Block Kasdole, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
16. Smt. Geeta Padmakar Earlier Geeta Verma W/o Yogeshwar Padmakar Aged About 32 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Aashram Shala, Chandkhuri, Block Arang, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
17. Ishwar Prasad Banjare S/o Kodram Banjare Aged About 49 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Hardi (Naya), Block Balodabazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
18. Tika Ram Jangre S/o Mansha Ram Jangre Aged About 40 Years Presently Working As Teacher (L.B.) At Govt. Middle School, Bhalukona, Block Balodabazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
19. Patibha Verma W/o Brijbhooshan Prasad Verma Aged About 30 Years Presently Working As Assistant Teacher (L.B.) At Govt. Primary School, Dongra, Block Balodabazar, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
20. Gajendra Prasad Kaiwartya S/o Shri Babulal Kaiwartya Aged About 36 Years Presently Working As Teacher (L.B.) At Govt. Middle School, Malda, Block Kasdole, District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya P.S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Secretary Department Of Education Mantralaya, P.S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Executive Officer, Zila Panchayat, Balodabazar, District Balodabazar, Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
4. Chief Executive Officer Zila Panchayat, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---Respondents

For petitioners :	Shri C.J.K.Rao, Advocate.
For State :	Shri Syed Majid Ali, Dy.G.A.

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

08/10/2018

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 is identical and similar to the government teachers and their services 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 petitioners. The petitioners in this regard has 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

Sumit