

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 7100 of 2018**

1. Jagjivan Prasad Jangde S/o Shri Mahettar Prasad Jandge, Aged About 38 Years Working As Teacher E.(L.B.) And Posted At Govt. Middle School Dhamani, Block Jaijaipur, Education District Sakti, District Janjgir Champa, Chhattisgarh
2. Bodhram Kiran S/o Shri Kalicharan Kiran, Aged About 37 Years, Working As Teacher E.(L.B.) And Posted At Govt. Middle School Pendri, Block Jaijaipur, Education District Sakti, District Janjgir Champa, Chhattisgarh
3. Tiharu Ram Baghel S/o Shri Budgaram Baghel, Aged About 43 Years Working As Teacher E.(L.B.) And Posted At Govt. Middle School Pendri, Block Jaijaipur, Education District Sakti, District Janjgir Champa Chhattisgarh
4. Gautam Prasad Ware S/o Maniram Ware, Aged About 45 Years Working As Teacher E. (L.B.) And Posted At Govt. Middle School Barekalkala, Block Jaijaipur, Education District Sakti, District Janjgir Champa Chhattisgarh
5. Chunuram Sonwani S/o Parasuram Sonwani, Aged About 45 Years Working As Teacher E. (L.B.) And Posted At Govt. Middle School Pendri, Block Jaijaipur, Education District Sakti, District Janjgir Champa Chhattisgarh
6. Ramanand Khute S/o Ramnivas Khute, Aged About 36 Years Working As Teacher E. (L.B.) And Posted At Govt. Middle School, Pendri, Block- Jaijaipur, Education District- Sakti, District- Janjgir-Champa Chhattisgarh
7. Smt. Babita Lahre W/o Dileshwar Kumar Lahre, Aged About 34 Years (Before Marriage Babita Soni), Working As Teacher E. (L.B.) And Posted At Govt. Girls Middle School, Hasaud, Block- Jaijaipur, Education District- Sakti, District- Janjgir-Champa Chhattisgarh
8. Dammelal Yadav S/o Shri Chhedilal Yadav, Aged About 47 Years Working As Teacher E. (L.B.) And Posted At Govt. Middle School,

Pendri, Block- Jaijaipur, Education District- Sakti, District- Janjgir-Champa Chhattisgarh

9. Arun Kumar Khute S/o D.R. Khute, Aged About 45 Years Working As Lecturer E. (L.B.) And Posted At Govt. Girls Higher Secondary School, Hasaud, Block- Jaijaipur, Education District- Sakti, District- Janjgir-Champa Chhattisgarh
10. Chhotelal Banjare S/o Kausari Prasad Banjare, Aged About 39 Years Working As Assistantteacher E. (L.B.) And Posted At Govt. Primary School, E. Aa. Dhamani, Block- Jaijaipur, Education District- Sakti, District- Janjgir-Champa Chhattisgarh
11. Ramkumar Kashyap S/o Ganesh Ram Kashyap, Aged About 46 Years Working As Assistant Teacher E. (L.B.) And Posted At Govt. Primary School, Dhamani, Block- Jaijaipur, Education District- Sakti, District- Janjgir-Champa Chhattisgarh

---- Petitioners

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. Director, Directorate Of Chhattisgarh Public Instruction, Atal Nagar, Raipur, District- Raipur Chhattisgarh
4. Chief Executive Officer, Zila Panchayat, Janjgir, District- Janjgir-Champa Chhattisgarh
5. District Education Officer, Sakti, District- Janjgir-Champa Chhattisgarh
6. Chief Executive Officer, Janpad Panchayat, Jaijaipur, Education District- Sakti, District- Janjgir-Champa Chhattisgarh
7. Block Education Officer, Block- Jaijaipur, Education District- Sakti, District- Janjgir- Champa Chhattisgarh

----Respondents

For Petitioners	:	Mr. U.P.S. Sahu, Advocate
For State	:	Shri D. Wankhede, Govt. Advocate

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

27/10/2018

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 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.
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 is concerned. The Respondents shall be at liberty to take a decision independently.

Sd/-
(P. Sam Koshy)
Judge

Khatai