

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 7611 of 2018**

Shyamlal Kewat S/o Tiharu Lal Kewat, Aged About 44 Years
Presently Posted As Assistant Teacher (Panchayat) At Govt. Primary
School, Kosamsara (K), Block Kasdole, District Balodabazar
Bhatapara Chhattisgarh

---- Petitioner**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
2. Secretary, Department Of Education, Mantralaya P.S. Rakhi, Tahsil
Aarang, Naya Raipur, District Raipur Chhattisgarh
3. Chief Executive Officer, Janpad Panchayat, Kasdole, District
Balodabazar Bhatapara Chhattisgarh

---- Respondents

For Petitioner	:	Shri K. P. Sahu, Advocate
For Respondent/State	:	Shri Majid Ali, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****22/11/2018**

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.

2. 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 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 petitioner. The petitioner in this regard has made representations to the respondents.

3. 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.

4. 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