

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 7262 of 2018**

1. Prakash Thawkar S/o Shri Asharam Thawkar, Aged About 43 Years Working As Lecturer (L. B.) And Posted At Govt. High School Aagesara, Block Patan, District Durg, Chhattisgarh
2. Kheman Lal Hirwani S/o Shri Sadaram Hirwani Aged About 46 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Belhari, Block Patan, District Durg, Chhattisgarh
3. Dharmendra Kumar Sinha S/o Shri Rajaram Sinha, Aged About 40 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Bhansuli (K), Block Patan, District Durg, Chhattisgarh
4. Suresh Kumar Khilari S/o Late Shri Sejram Khilari Aged About 45 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Bhansuli (K), Block Patan, District Durg, Chhattisgarh
5. Ghanshyam Singh Verma S/o Late Shri Baldau Prasad Verma Aged About 48 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Bhansuli (K), Block Patan, District Durg, Chhattisgarh
6. Dular Singh Thakur S/o Late Shri Nathuram Thakur Aged About 47 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Pahndor, Block Patan, District Durg, Chhattisgarh
7. Smt. Ganga Verma W/o Shri Sharad Kumar Verma Aged About 45 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Pahndor, Block Patan, District Durg, Chhattisgarh
8. Smt. Anita Chandrakar W/o Shri Dhruw Ram Chandrakar, Aged About 42 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Pahndor, Block Patan, District Durg, Chhattisgarh

9. Jeevan Lal Verma S/o Shri Dwarika Prasad Verma, Aged About 49 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Ghughuwa (K), Block Patan, District Durg, Chhattisgarh
10. Smt. Bhuneshwari Verma W/o Shri Bhupendra Kumar Verma Aged About 42 Years Working As Lecturer (L. B.) And Posted At Govt. High School Sipkona, Block Patan, District Durg, Chhattisgarh
11. Utkarsh Kumar Thakur S/o Shachendra Kumar Thakur Aged About 48 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Dhanora, Block Durg, District Durg, Chhattisgarh
12. Smt. Varsha Sakhre W/o Shri Ashwani Kumar Sakhre, Aged About 43 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Gorkapar, Block Gunderdehi, District Balod, Chhattisgarh
13. Smt. Sudha Dwivedi W/o Shri Anil Kumar Dwivedi Aged About 41 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Gorkapar, Block Gunderdehi, District Balod, Chhattisgarh
14. Ku. Beni Pisda D/o Shri V. S. Pisda, Aged About 39 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Gorkapar, Block Gunderdehi, District Balod, Chhattisgarh
15. Rupesh Sao S/o Shri Mayank Lal Sao, Aged About 47 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Gorkapar, Block Gunderdehi, District Balod, Chhattisgarh
16. Smt. Kamla Sao W/o Shri Rupesh Sao, Aged About 45 Years Working As Lecturer (L. B.) And Posted At Govt. High School Gorkapar, Block Gunderdehi, District Balod, Chhattisgarh
17. Kamal Narayan Sahu S/o Shri Rammurti Sahu, Aged About 37 Years Working As Lecturer (L. B.) And Posted At Govt. Higher Secondary School Matra, Block Dhamdha, District Durg, Chhattisgarh

18. Sharad Kumar Verma S/o Shri Namdev Verma, Aged About 47 Years Working As Lecturer (L. B.) And Posted At Govt. Middle School Ganiyari, Block Patan, District Durg, Chhattisgarh
19. Smt. Binda Ghritlehere W/o Shri Sidhram Ghritlehere Aged About 43 Years Working As Teacher (L. B.) And Posted At Govt. Middle School Sipkona Block Patan District Durg, Chhattisgarh
20. Smt. Manju Verma W/o Shri Ghanshyam Singh Verma, Aged About 44 Years Working As Teacher (L. B.) And Posted At Govt. Middle School Belhari, Block Patan, District Durg, Chhattisgarh
21. Smt. Sidhram Ghritlehere S/o Shri Dayaram Ghritlehere, Aged About 49 Years Working As Teacher (L. B.) And Posted At Govt. Middle School Jamrao, Block Patan, District Durg, Chhattisgarh
22. Surendra Kumar Yadu S/o Shri Dashrath Lal, Aged About 48 Years Working As Teacher (L. B.) And Posted At Govt. Middle School Chulgahan, Block Patan, District Durg, Chhattisgarh
23. Ghupendra Kumar Verma S/o Jayant Kumar Verma, Aged About 48 Years Working As Teacher (L. B.) And Posted At Govt. Middle School Khudmudi, Block Patan, District Durg, Chhattisgarh
24. Lokchand Verma S/o Shri Kunjlal Verma, Aged About 48 Years Working As Teacher (L. B.) And Posted At Govt. Middle School Khudmudi, Block Patan, District Durg, Chhattisgarh
25. Atma Ram Verma S/o Shri Hriday Ram Verma, Aged About 49 Years Working As Assistant Teacher (L. B.) And Posted At Govt. Primary School Sawani, Block Patan, District Durg, 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. Chief Executive Officer, Zila Panchayat, Durg, District Durg, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat, Balod, District Balod, Chhattisgarh
5. Chief Executive Officer, Janpad Panchayat, Patan, District Durg, Chhattisgarh

---- Respondents

For Petitioners	:	Shri Ajay Shrivastava, Advocate
For Respondent/State	:	Shri D. Wankhede, Advocate

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

01/11/2018

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.

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**