

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPS No. 7554 of 2018**

1. Smt. Suruchi Painkra D/o Shri G.R. Panikra, W/o Ramesh Kumar Sai, Aged About 41 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Charaidand, Block Duldula, District Jashpur Chhattisgarh
2. Sanjay Kumar Nayak, S/o Janak Ram, Aged About 42 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Ganjiyadih, Block Farsabahar, District Jashpur Chhattisgarh.
3. Laldev Sai Panikra, S/o Mohan Sai, Aged About 44 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Tapkara, Block Farsabahar, District Jashpur Chhattisgarh.
4. Smt. Aileen Firma Lakra, W/o Kuldeep Lakra, Aged About 42 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Tapkara, Block Farsabahar, District Jashpur Chhattisgarh.
5. Saroj Kumar Nishad, W/o Shri Sewak Ram, Aged About 31 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Pandripani, Block Farsabahar, District Jashpur Chhattisgarh.
6. Vijay Sao, S/o Hridyanand Sahu, Aged About 38 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Tapkara, Block Farsabahar, District Jashpur Chhattisgarh
7. Saroj Kumar Sao, W/o Krishna Sao, Aged About 38 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Menderbahara, Block Farsabahar, District Jashpur Chhattisgarh.
8. Ajay Kumar Sai, S/o Shri Saklu Sai, Aged About 42 Years Working As Teacher (L.B.) And Posted At Govt. Middle School Baro, Block Farsabahar, District Jashpur Chhattisgarh.
9. Chitrasen Choudhary, S/o Shri Gourishankar, Aged About 45 Years Working As Teacher (L.B.) And Posted At Govt. Middle School Ganjiyadih, Block Farsabahar, District Jashpur Chhattisgarh
10. Sambhu Ram, S/o Shri Jagarnath Ram, Aged About 40 Years Working As Assistant Teacher (L.B.) And Posted At Govt. Primary School Daltoli, Block Farsabahar, District Jashpur Chhattisgarh
11. Smt. Prasan Toppo, W/o Shri Fulbiyus Aged About 32 Years Working As Assistant Teacher (L.B.) And Posted At Govt. Primary School Tumla, Block Farsabahar, District Jashpur Chhattisgarh
12. Anup Kumar Painkra, S/o Shri Prabhu Sai Painkra, Aged About 43 Years Working As Assistant Teacher (L.B.) And Posted At Govt. Primary School Kendutoli, Block Farsabahar, District Jashpur Chhattisgarh
13. Smt. Manjulata Sahu, W/o Shri Ajay Sao, Aged About 36 Years Working As Assistant Teacher (L.B.) And Posted At Govt. Primary School Fitingpara, Block Farsabahar, District Jashpur Chhattisgarh.
14. Sushil Kumar Sahu, S/o Shri Hridyanand Sahu, Aged About 39 Years Working As Assistant Teacher (L.B.) And Posted At Govt. Primary School Kerwarjor, Block Farsabahar, District Jashpur Chhattisgarh.

15. Aseem Sai Painkra, S/o Shri Narendra Sai, Aged About 40 Years Working As Lecturer (L.B.) And Posted At Govt. High School Baro, Block Farsabahar, District Jashpur 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, Jashpur, District Jashpur Chhattisgarh
4. Chief Executive Officer, Janpad Panchayat, Farsabahar, District Jashpur Chhattisgarh

---Respondents

|                |   |                                |
|----------------|---|--------------------------------|
| For Petitioner | : | Mr. Ajay Shrivastava, Advocate |
| For State      | : | Mr. S.P. Kale, Dy. A.G.        |

**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**16/11/2018**

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

Sd/-  
**(P. Sam Koshy)**  
**Judge**

Ved