

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 7515 of 2018**

1. Jalesh Kumar Jandge S/o Khorbahra Prasad Jangde, Aged About 42 Years Presently Working As Teacher (L.B) At Govt. Middle School, Tivraiya, Block Berla, District Bemetara Chhattisgarh
2. Surendra Kumar Patel S/o Shri Ramadhar Patel, Aged About 43 Years Presently Working As Teacher (L.B) At Govt. Middle School, Bargaon, Block Berla, District Bemetara Chhattisgarh
3. Mahendra Kumar Sinha S/o Madan Lal Sinha, Aged About 45 Years Presently Working As Assistant Teacher (L.B) At Govt. Middle School, Khisora, Block Berla, District Bemetara 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
2. Secretary, Department Of Education Mantralaya, P. S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur, Chhattisgarh
3. Chief Executive Officer, Zila Panchayat Bemetara, District Bemetara, Chhattisgarh

---- Respondents

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

Hon'ble Shri Justice P. Sam Koshy**Order On Board****15/11/2018**

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 petitioner 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