

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 8035 of 2018**

1. Smt. Kavita Acharya W/o Shri Dilip Acharya, Aged About 44 Years Working As Teacher (L. B.) And Posted At Govt. Middle School Purena, Block Dharsiwa, District Raipur, Chattisgarh
2. Ku. Ravibala Jaiswal D/o Mahaveer Prasad Jaiswal, Aged About 45 Years Working As Teacher (L. B.) And Posted At Nivedita Middle School Ravibala Jaiswal, Block Dharsiwa, District Raipur, Chhattisgarh
3. Smt. Reeta Mondal W/o Shri Dhiraj Mondal, Aged About 36 Years, Working As Teacher (L. B.) And Posted At P. G. Umathe Middle School Shanti Nagar, Block Dharsiwa, District Raipur, Chhattisgarh
4. Smt. Amarautin Bhatpahari W/o Shri Sushil Kumar Bhatpahari, Aged About 39 Years, Working As Teacher (L. B.) And Posted At Govt. Middle School Purena, Block Dharsiwa, District Raipur, Chhattisgarh
5. Smt. Varsha John W/o Shri Rakesh John, Aged About 45 Years, Working As Teacher (L. B.) And Posted At B. P. Pujari Govt. Middle School Rajatalab, Block Dharsiwa, District Raipur, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of School Education Mahanadi Bhawan, Mantralaya, Atal Nagar New Raipur, District Raipur, Chhattisgarh
2. District Education Officer, Raipur, District Raipur, Chhattisgarh

---- Respondents

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

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06/12/2018**

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