

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS. No. 8159 of 2018**

Smt. Saroj Samual W/o Late Shri Ravindra Kumar Samual Aged About 55 Years Occupation Service, Posted As Upper Division Teacher, Govt. Nutan Primary School, Rajatalab, R/o Near Netaji Chowk, New Shanti Nagar, District- Raipur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary School Education Department Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh.
2. The District Education Officer Raipur, District- Raipur, Chhattisgarh.
3. Block Education Officer Block- Raipur, District- Raipur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Mirza Hafeez Baig, Advocate.
For State	:	Ms. Sunita Jai, PL.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****11.12.2018**

1. This is second round of litigation, the first round of litigation was WPS No.4648/2015, which was disposed off on 14.12.2015 where this Court has held as under :-

“The petitioners may make a fresh representation before respondent No.2- The District Education Officer Raipur, District- Raipur alongwith a copy of order passed in WP No.3977/2003 (Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg & Anr.). If the petitioners make a representation for grant of two increments before respondent No.2 then the said authority in turn shall consider and decide the same within a period of six weeks from the date of its receipt of representation, on its own merits and in accordance with law. However, it is made clear that this Court has not passed any order with regard to grant of two increments.”

2. The contention of this petitioner is that in spite of there being a specific direction to respondent No.2 and many representations made by the petitioner in this regard, the authority has not taken a final decision and till date the petitioner has not been granted his two advance increments, which he is entitled for on passing the Diploma in Teaching Course on his own expenses.
3. Given these facts that there is already a direction and no decision had been taken by respondent No.2, this Court does not intends to keep the petition pending rather ends of justice would be served if the respondent No.2 is directed to decide the claim of the petitioner at the earliest preferably within a period of 60 days from the date of receipt of order of this Court. Petitioner in addition to the representation that he has made would also be at liberty to file a fresh representation in support of his claim supported with relevant documents including the order passed by this Court in the first round of litigation.
4. The writ petition stands disposed off.

Sd /-

(P. Sam Koshy)

Judge