

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 193 of 2019

1. Anurag Tiwari S/o Shri Shiv Shankar Tiwari Aged About 36 Years Presently Working As Lecturer (L. B.) At Govt. Higher Secondary School Kutra, Block Navagarh, District Janjgir Champa, Chhattisgarh.
2. Rahul Dev Diwakar S/o Shri Ramnath Diwakar Aged About 33 Years Presently Working As Lecturer (L. B.) At Govt. Higher Secondary School Banari, Block Navagarh, District Janjgir Champa, Chhattisgarh.
3. Daulat Ram Thawait S/o Devi Prasad Thawait Aged About 54 Years Presently Working As Lecturer (L. B.) At Govt. Higher Secondary School Kutra, Block Navagarh, District Janjgir Champa, Chhattisgarh.
4. Kajal Kahara W/o Ashish Kahara Aged About 38 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School Kutra, Block Navagarh, District Janjgir Champa, Chhattisgarh.
5. Umesh Kumar Choubey S/o Deo Charan Choubey Aged About 40 Years Presently Working As Lecturer (L. B.) At Govt. Higher Secondary School Kutra, Block Navagarh, District Janjgir Champa, Chhattisgarh.
6. Jugal Kishore Shukla S/o Shri Ram Gopal Shukla Aged About 46 Years Presently Working As Lecturer (L. B.) At Govt. High School Shankar Block Akaltara, District Janjgir Champa, Chhattisgarh.
7. Lalit Narayan Upadhyay S/o Shri Shatrughan Lal Upadhyay Aged About 43 Years Presently Working As Lecturer (L. B.) At Govt. Higher Secondary School Amora, Block Navagarh, District Janjgir Champa, Chhattisgarh.
8. Tika Ram Shrivastava S/o Shri Ganga Ram Shrivastava Aged About 41 Years Presently Working As Lecturer (L. B.) At Govt. Higher Secondary School Basantpur, Block Baloda, District Janjgir Champa, Chhattisgarh.
9. Ramesh Chandra Dewangan S/o Baisakhu Ram Dewangan Aged About 42 Years Presently Working As Lecturer (L. B.) At Govt. Higher Secondary School Madwa, Block Baloda, District Janjgir Champa, Chhattisgarh.
10. Prashant Kumar Rathore S/o Late Ram Chandra Rathore Aged About 41 Years Presently Working As Lecturer (L. B.) At Govt. Higher Secondary School Birghani (Cha), Block Baloda, District Janjgir Champa, Chhattisgarh.
11. Krishna Kumar Yadav S/o Shri B. R. Yadav Aged About 41 Years Presently Working As Lecturer (L. B.) At Govt. Higher Secondary School Basantpur, Block Baloda, District Janjgir Champa, Chhattisgarh.
12. Geeta Prasad Patanwar S/o Shri Dharamlal Patanwar Aged About 39 Years Presently Working As Lecturer (L. B.) At Govt. High School Sankar, Block Akaltara, District Janjgir Champa, Chhattisgarh.

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Versus

1. State Of Chhattisgarh Through The Secretary Department Of Panchayat And Rural Development Mantralaya Mahanadi Bhawan, Atal Nagar Raipur, District Raipur, Chhattisgarh.
2. Secretary Department Of Education Mantralaya, Mahanadi Bhawan, Atal Nagar Raipur, District Raipur, Chhattisgarh.

3. Director Directorate Of Chhattisgarh Public Instructions, Atal Nagar Raipur, District Raipur, Chhattisgarh.
4. Chief Executive Officer Zila Panchayat Janjgir, District Janjgir Champa, Chhattisgarh.
5. District Education Officer Janjgir District Janjgir Champa, Chhattisgarh.

---Respondents

For Petitioners	:	Mr. C. Jayant K. Rao, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11/01/2019

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