

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 408 of 2019**

1. Mukesh Kumar Sahu S/o Shri Lalbahadur Sahu, Aged About 40 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kotmi Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Baghoud Block Dabhra District Janjgir Champa Chhattisgarh
2. Yadram Patel S/o Shri Ramprasad Patel, Aged About 48 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kotmi Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Kirari Block Dabhra District Janjgir Champa Chhattisgarh
3. Pushpendra Chandra S/o Shri Chandrabhan Chandra, Aged About 36 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kotmi Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Kansa Block Dabhra District Janjgir Champa Chhattisgarh
4. Duleshwar Singh Naik S/o Shri K.S. Naik, Aged About 48 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kotmi Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Kirari, Block Dabhra District Janjgir Champa Chhattisgarh
5. Kanj Kumar Khunte S/o Shri Dayaram Khunte Aged About 47 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kotmi Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Budhapurena, Block Dabhra District Janjgir Champa Chhattisgarh
6. Smt. Shanti Thawait W/o Shri Rajesh Thawait Aged About 48 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kotmi Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Kotmi, Block Dabhra District Janjgir Champa Chhattisgarh
7. Ku. Geeta Khunte D/o Shri Chintaram Khunte Aged About 50 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kotmi Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Budhapurena, Block Dabhra District Janjgir Champa Chhattisgarh
8. Smt. Rajni Patel D/o Shri K.K. Patel Aged About 35 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kotmi Block

Dabhra District Janjgir Champa Chhattisgarh. R/o Village Kirari, Block Dabhra District Janjgir Champa Chhattisgarh

9. Smt. Savitri Dewangan D/o Shri D.P. Dewangan Aged About 34 Years Presently Posted As Lecturer (L.B.) At Government Girls Higher Secondary School Kotmi Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Dabhra, Block Dabhra District Janjgir Champa Chhattisgarh
10. Anil Kumar Patel S/o Shri H.L. Patel Aged About 41 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kotmi Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Patharipali, Block Sarangarh, District Raigarh, Chhattisgarh
11. Ramkrishna Patel S/o Shri Purushottam Patel Aged About 48 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kotmi Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Kirari, Block Dabhra District Janjgir Champa Chhattisgarh
12. Dindayal Karsh S/o Shri Kartikram Karsh Aged About 46 Years Presently Posted as Assistant Teacher (L.B.) At Government Higher Secondary School Kotmi Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Kotmi, Block Dabhra District Janjgir Champa Chhattisgarh
13. Dileshwari Chandra W/o Shri Rajkumar Chandra Aged About 50 Years Presently Posted as teacher (L.B.) At Government Middle School Kenapali, Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Gobrabharta. Block Dabhra District Janjgir Champa Chhattisgarh
14. Yogendra Prakash Patel S/o Shri Keshav Prasad Patel, Aged About 46 Years Presently Posted As Lecturer (L.B.) At Government Girls Higher Secondary School Kotmi Block Dabhra District Janjgir Champa Chhattisgarh. R/o Village Darri, Block Dabhra District Janjgir Champa Chhattisgarh

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Versus

1. State Of Chhattisgarh, through Its Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.

3. Chief Executive Officer, Zila Panchayat Janjgir Champa, District Janjgir Champa Chhattisgarh.

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For Petitioners	:	Shri Ishan Verma, Advocate
For Respondent/State	:	Shri Rahul Mishra, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

21/01/2019

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.

4. It appears that the petitioners have till date not made any representation in this regard. Counsel for the petitioners makes a prayer that the petitioners may be permitted to make suitable representation within a period of two weeks from today. Prayer is allowed. 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.

5. 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