

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 425 of 2019

1. Veerendra Kumar Sinha S/o Ramanandan Prasad Sinha Aged About 45 Years Working As Lecturer T. (L.B.) And Posted At Govt. High School Sitonga Block Jashpur District : Jashpur, Chhattisgarh
2. Deependra Kumar Sinha S/o S.N. Sinha Aged About 47 Years Working As Lecturer T. (L.B.) And Posted At Govt. Higher Secondary School Duldula Block Duldula District Jashpur Chhattisgarh.
3. Albert Lakra, S/o Fromdan Lakra Aged About 45 Years, Working As Lecturer T. (L.B.) And Posted At Govt. Higher Secondary School Duldula Block Duldula, District : Jashpur, Chhattisgarh
4. Manoj Kumar Gupta S/o Shri Ganpat Prasad Aged About 41 Years Working As Lecturer T. (L.B.) And Posted At Govt. Higher Secondary School Charaidand Block Duldula District : Jashpur, Chhattisgarh
5. Bipin Kumar Ambastha S/o Shri Badri Prasad Ambastha, Aged About 43 Years Working As Lecturer T. (L.B.) And Posted At Govt. Higher Secondary School Kaliba, Block Kunkuri District Jashpur Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary Department Of Panchayat Mahanadi Bhawan Mantralaya New Raipur District Raipur Chhattisgarh.
2. Secretary, Department Of School Education Mahanadi Bhawan Mantralaya New Raipur District Raipur Chhattisgarh.
3. Director, Directorate Of Chhattisgarh Public Instruction Atal Nagar Raipur, District : Raipur, Chhattisgarh
4. Chief Executive Officer Zila Panchayat Jashpur District : Jashpur, Chhattisgarh
5. District Education Officer Jashpur District Jashpur Chhattisgarh.
6. Block Education Officer Block Duldula District Jashpur Chhattisgarh.
7. Block Education Officer, Block Kunkuri, District : Jashpur, Chhattisgarh
8. Block Education Officer, Block Jashpur District Jashpur Chhattisgarh.

---Respondents

For Petitioners	:	Mr. U.P.S. Sahu, Advocate
For State	:	Mr. Rahul Mishra, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

22/01/2019

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. The petitioners shall in this regard make a detailed representation to the respondents within a period of 3 weeks from today.
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 on the representation, so filed by the petitioners and thereby decide, 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