

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 1071 of 2019

1. Rajni Dewangan W/o Ashok Kumar Dewangan Aged About 37 Years Presently Working As Teacher (L.B.) At Govt. Middle School, Kopra, Block Takhatpur, District- Bilaspur, Chhattisgrh., District : Bilaspur, Chhattisgarh
2. Smt. Priyamavda Pandey W/o Keshaw Prasad Pandey Aged About 38 Years Presently Working As Lecturer (L.B.) At Govt. Girls Higher Secondary School Masturi, Block Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Rajesh Kumar Sharma S/o Sanat Kumar Sharma Aged About 48 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School Semartal, Block Bilha, District- Bilaspur, Chhattisgarh.
4. Anil Kumar Verma S/o Ramkumar Verma Aged About 42 Years Presently Working As Lecturer (L.B.) At Govt. Girls Higher Secondary School Semartal, Block Bilha, District- Bilaspur, Chhattisgarh.
5. Seema Thakur W/o Ravindra Singh Aged About 47 Years Presently Working As Lecturer (L.B.) At Govt. Girls Higher Secondary School Semartal, Block Bilha, District- Bilaspur, Chhattisgarh.
6. Babita Singh W/o Mukesh Singh Chandel Aged About 36 Years Presently Working As Lecturer (L.B.) At Govt. Girls Higher Secondary School Semartal, Block Bilha, District- Bilaspur, Chhattisgarh.
7. Smt. Jageshwari Verma W/o Shri Milan Kumar Pandey Aged About 36 Years Presently Working As Lecturer (L.B.) At Govt. Girls Higher Secondary School Semartal, Block Bilha, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
8. Aditi Ddubey W/o Ajay Kumar Dubey Aged About 43 Years Presently Working As Lecturer (L.B.) At Govt. Girls Higher Secondary School Semartal, Block Bilha, District- Bilaspur, Chhattisgarh.
9. Padma Diwedi W/o Vikas Diwedi Aged About 45 Years Presently Working As Lecturer (L.B.) At Govt. Girls Higher Secondary School Semartal, Block Bilha, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
10. Toshani Prasad Gupta S/o Shri Baldaoo Prasad Gupta Aged About 52 Years Presently Working As Lecturer (L.B.) At Govt. Girls Higher Secondary School Daganiya, Block Bilha, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
11. Ruby Arora W/o Romy Arora Aged About 39 Years Presently Working As Lecturer (L.B.) At Govt. Middle Pandhi, Block Bilha, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
12. Smt. Nilima Pandey W/o Vinod Pandey Aged About 45 Years Presently Working As Lecturer (L.B.) At Govt. Middle School Skukurdikera, Block Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
13. Smt. Sneha Singh W/o Jainendra Kumar Singh Aged About 34 Years Presently Working As Lecturer (L.B.) At Govt. Middle School Deori, Block Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
14. Ku. Neeta Vishwakarma D/o Shri Chhabilal Vishwakarma Aged About 46 Years Presently Working As Lecturer (L.B.) At Govt. Middle School Deori, Block Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

15. Neelam Singh Parihar W/o Priyank Singh Parihar Aged About 45 Years Presently Working As Lecturer (L.B.) At Govt. Middle School Pandhi, Block Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
16. Arti Soni W/o Shri P.K. Sonar Aged About 44 Years Presently Working As Lecturer (L.B.) At Govt. Middle School Pandhi, Block Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
17. Payal Singh Parmar D/o Shri Shambhu Nath Singh Aged About 36 Years Presently Working As Lecturer (L.B.) At Govt. Middle School Pandhi, Block Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
18. Anita Sahu W/o Kamal Sahu Aged About 45 Years Presently Working As Lecturer (L.B.) At Govt. Middle School Pandhi, Block Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
19. Smt. Archana Tiwari W/o Shri Vivek Tiwari Aged About 48 Years Presently Working As Lecturer (L.B.) At Govt. Middle School Bharari, Block Bilha, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
20. Smt. Geeta Chari D/o Shri M.S. Chari Aged About 50 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School Sardha, Block Bilha, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
21. Neeta Khan W/o Firoj Khan Aged About 47 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School Bharari, Block Bilha, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
22. Savita Shukla W/o Lokesh Shukla Aged About 50 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School Bharari, Block Bilha, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
23. Nilima Soni W/o Laxmikant Soni Aged About 35 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School Bharari, Block Bilha, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
24. Lalima Sharma W/o Shri Madhukant Sharma Aged About 41 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School Bharari, Block Bilha, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
25. Kamta Prasad Shukla S/o Sitaram Shukla Aged About 49 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School Budhikhar, Block Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
26. Shikha Subhani W/o Taeed Subhani Aged About 38 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School Bharari, Block Bilha, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
27. Sukpal Singh Paikra S/o Shri Vishal Singh Paikara Aged About 39 Years Presently Working As Lecturer (L.B.) At High School, Bitkuli, Block Kota, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
28. Madhu Deovreat Kumar Singh S/o Mohit Singh Aged About 49 Years Presently Working As Lecturer (L.B.) At Govt. High School, Chatauna, Block Kota, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
29. Ram Kumar Paikra S/o Chandan Singh Paikra Aged About 33 Years Presently Working As Lecturer (L.B.) At Govt. High School, Chatauna,

Block Kota, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

30. Chandan Singh Kanwar S/o Tilochan Singh Kanwar Aged About 38 Years Presently Working As Lecturer (L.B.) At Govt. High School, Chatauna, Block Kota, District- Bilaspur, Chhattisgarh.
31. Sunil Kumar Masram S/o Dharam Singh Masram Aged About 37 Years Presently Working As Lecturer (L.B.) At Govt. High School, Baheramuda, Block Kota, District- Bilaspur, Chhattisgarh.
32. Fanesh Kumar Masram S/o Shri Shyamji Masram Aged About 41 Years Presently Working As Lecturer (L.B.) At Govt. High School, Dhanras, Block Kota, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
33. Vijay Vir Singh S/o Shri Mahesh Singh Aged About 40 Years Presently Working As Lecturer (L.B.) At Govt. High School, Dhanras, Block Kota, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
34. Ku. Shyam Kumari Yadav D/o Shri Santram Yadav Aged About 36 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School, Budhikhar, Block Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

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Versus

1. State Of Chhattisgarh Through The Secretary, Ddepartment Of Panchayat Adn Rural Development, Mantrlaya P.S. Rakhi, Tahsil Aarang, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Secretary Department Of Education, Mantralaya P.S. Rakhi, Tahsil Aarang, Naya Raipur, Disrtict- Raipur, Chhattisgarh.
3. Chief Executive Officer Zila Panchayat, Bilaspur, District- Bilaspur, Chhattisgarh.
4. District Education Officer Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
5. Block Education Officer Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
6. Block Education Officer Bilha, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
7. Block Education Officer Takhatpur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
8. Block Education Officer Kota, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---Respondents

For Petitioners	:	Shri CJK Rao, Advocate
For State	:	Shri Anshuman Shrivastava, PL.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/02/2019

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 Karmi is 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.
4. 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.
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 is concerned. The Respondents shall be at liberty to take a decision independently.

Sd/-
(P. Sam Koshy)
Judge

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