

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2112 of 2019

1. Babloo Lal Sahu S/o Shri Ghanshayam Sahu Aged About 40 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kondatarai, District Raigarh Chhattisgarh R/o Village Ruchida Block Pussore District Raigarh Chhattisgarh.
2. Smt. Uma Singh Thakur W/o Shri Prakash Singh Thakur Aged About 44 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kondatarai, District Raigarh Chhattisgarh R/o Civil Line, Darogapara Raigarh District Raigarh Chhattisgarh.
3. Smt. Tanuja Yadav W/o Shri Suresh Yadav Aged About 38 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kondatarai, District Raigarh Chhattisgarh R/o Chakradhar Nagar, Raigarh District Raigarh, Chhattisgarh.
4. Smt. Sabi Ekka W/o Shri Aatam Ekka Aged About 42 Years Presently Posted As Lecturer (L.B.) At Government Higher Secondary School Kondatarai, District Raigarh Chhattisgarh R/o Village Vijaypur District Raigarh Chhattisgarh.
5. Smt. Haripriya Patel W/o Shri Gopal Patel Aged About 35 Years Presently Posted As Assistant Teacher (L.B.) At Government Higher Secondary School Kondatarai, District Raigarh Chhattisgarh R/o Village Belpali Block Pussore District Raigarh Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through Its Secretary Department Of School Education, Mantralaya Mahanandi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. District Education Officer Raigarh, District Raigarh Chhattisgarh.
3. Principal Government Higher Secondary School Kondatarai Block Pussore District Raigarh Chhattisgarh.

---Respondents

For Petitioners	:	Mr. Waquar Naiyer, Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/03/2019

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