

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2117 of 2019

1. Nohar Lal Dhanendra S/o Shri Nand Lal Dhanendra Aged About 36 Years
Lecturer (L.B.) Working As Govt. Hr. Sec. School, Puri, Block- Charama,
District- Kanker, Chhattisgarh
2. Shiv Kumar Nishad S/o Shri Sukdev Ram Nishad Aged About 36 Years
Lecturer (L.B.), Working At Govt. Hr. Sec. School Puri, Block- Charama,
District- Kanker, Chhattisgarh
3. Janak Ram Thakur S/o Late Ghana Ram Thakur Aged About 48 Years
Lecturer (L.B.) Working At Govt. Hr. Sec. School Aroud, District- Kanker,
Chhattisgarh
4. Jai Singh Painkara S/o Shri Akbar Sai Painkara Aged About 38 Years
Teacher (L.B.) Working At Govt. Hr. Sec. School Tarasgaon, District-
Sukma, Chhattisgarh
5. Manoj Kumar Netam S/o Shri Fatte Singh Jain Aged About 38 Years
Teacher (L.B.) Working At Govt. Middle School Dumarpani, District-
Kanker, Chhattisgarh
6. Rajkumar Jangde S/o Shri Faguwa Jangde Aged About 40 Years Lecturer
(L.B.) R/o- PWD-1, 109 Hospital Colony Pakhanjur, Kanker, District-
Kanker, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh, Through- The Secretary, School Education
Department, Mahanadi Bhawan, Atal Nagar, New Raipur, Chhattisgarh
2. District Education Officer, Kanker, District- Kanker, Chhattisgarh
3. District Education Officer, Sukma, District- Sukma, Chhattisgarh

---Respondents

For Petitioners	:	Mr. Somkant Verma, Advocate
For State	:	Mr. Ishan Verma, Panel Lawyer

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 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. It seems that the petitioners for redressal of the grievance, till date, not moved any representation. Let the petitioners make a detailed representation to the respondents in this regard.
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 shall 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.
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 the petitioners, so prefers.

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

Ved