

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2864 of 2019

1. Purushottam Nath Miri S/o Shri Balbhadra Nath Aged About 45 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School, Kodatarai, Block Pusoure, District- Raigarh, Chhattisgarh
2. Rashmi Bohidar W/o Shri Hemasagar Bohidar Aged About 37 Years Presently Working As Teacher (L.B.) At Govt. Middle School Mahloi, Block Pusoure, District- Raigarh, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya P.S. Rakhi, Tahsil Aarang, Naya Raipur, District- Raipur, Chhattisgarh
2. Secretary Department Of Education, Mantralaya P.S. Rakhi, Tahsil Aarang, Naya Raipur, District- Raipur, Chhattisgarh
3. District Education Officer Raigarh, District- Raigarh, Chhattisgarh
4. Block Education Officer Pusoure, District- Raigarh, Chhattisgarh
5. Principal Govt. Higher Secondary School, Kodatarai, Block Pusoure, District- Raigarh, Chhattisgarh
6. Principal Govt. Middle School, Mahloi, Block Pusoure, District- Raigarh, Chhattisgarh

---Respondents

For Petitioners	:	Mr. K.P. Sahu, Advocate
For State	:	Ms. Shriya Mishra, P. L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08.05.2019

1. Ignoring the default pointed out by the Registry for a moment, with the consent of the parties, the matter was heard finally at the admission stage.
2. 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.

3. 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.
4. 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 off with a direction to respondents No. 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 No. 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