

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 3042 of 2019**

1. Rakesh Dubey S/o Shri Prakash Chand Dubey, Aged About 43 Years Presently Working As Lecturer (L.B.) At Government Natvar Bahuddeshiya Higher Secondary School, Raigarh, Block Raigarh District Raigarh Chhattisgarh
2. Jitendra Kumar Patel, S/o Shri Yatram Patel, Aged About 43 Years Presently Working As Lecturer (L.B.) At Government Natvar Bahuddeshiya Higher Secondary School, Raigarh, Block Raigarh, District Raigarh Chhattisgarh
3. Smt. Vibha Acharya W/o Shri Rajesh Acharya, Aged About 42 Years Presently Working As Lecturer (L.B.) At Government Higher Secondary School, Kotarliya Block Raigarh, District Raigarh Chhattisgarh
4. Smt. Rekha Patnayak W/o Shri Sureshchandra Patnayak, Aged About 42 Years Presently Working As Lecturer (L.B.) At Government Higher Secondary School, Loing, Block Raigarh, District Raigarh Chhattisgarh
5. Bhikhari Lal Gupta S/o Shri Chandrashekhar Gupta, Aged About 41 Years Presently Working As Lecturer (L.B.) At Government Higher Secondary School, Loing, Block Raigarh, District Raigarh Chhattisgarh
6. Adita Sarkar W/o Shri S.B. Sarkar, Aged About 42 Years Presently Working As Teacher (L.B.) At Government Middle School, Kotarliya, Block Raigarh, District Raigarh Chhattisgarh
7. Smt. Bharti Ray W/o Shri P.K. Ray Aged About 51 Years Presently Working As Lecturer (L.B.) At Government Higher Secondary School, Kirodimalnagar, Block Raigarh, District Raigarh Chhattisgarh
8. Ajay Sinha S/o Shri Janardan Prasad Sinha, Aged About 46 Years Presently Working As Lecturer (L.B.) At Government Higher Secondary School, Kirodimalnagar, Block Raigarh, District Raigarh Chhattisgarh
9. Seema Bohidar W/o Shri Shridhar Bohidar, Aged About 38 Years Presently Working As Lecturer (L.B.) At Government Higher Secondary School, Kirodimalnagar, Block Raigarh, District Raigarh Chhattisgarh

10. Jyotibala Kerketta W/o Shri R. Kerketta, Aged About 42 Years Presently Working As Lecturer (L.B.) At Government Higher Secondary School, Kirodimalnagar, Block Raigarh District Raigarh Chhattisgarh
11. Rameshwar Dewangan S/o Shri K.N. Dewangan Aged About 46 Years Presently Working As Assistant Teacher (L.B.) At Government Higher Secondary School, Kirodimalnagar, Block Raigarh District Raigarh Chhattisgarh
12. Smt. Mandakini Bhagat W/o Shri Rohan Ram Bhagat Aged About 38 Years Presently Working As Assistant Teacher (L.B.) At Government Higher Secondary School, Kirodimalnagar, Block Raigarh District Raigarh Chhattisgarh
13. Smt. Anamika Singh W/o Shri Yogesh Singh, Aged About 48 Years Presently Working As Lecturer (L.B.) At Government Higher Secondary School, Gerwani, Block Raigarh District Raigarh Chhattisgarh

**---- Petitioners**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya Police Station Rakhi, Tahsil Aarang, Naya Raipur, District Raipur Chhattisgarh
2. Secretary, Department Of Education, Mantralaya Police Station Rakhi, Tahsil Aarang, Naya Raipur, District Raipur Chhattisgarh
3. District Education Officer, Raigarh District Raigarh Chhattisgarh
4. Block Education Officer, Raigarh District Raigarh Chhattisgarh
5. Principal, Government Natvar Bahuddeshiya Higher Secondary School, Raigarh , Block Raigarh District Raigarh Chhattisgarh
6. Principal, Government Higher Secondary School, Kotarliya, Block Raigarh District Raigarh Chhattisgarh
7. Principal, Government Higher Secondary School, Loing, Block Raigarh District Raigarh Chhattisgarh
8. Principal, Government Higher Secondary School, Kirodimalnagar, Block Raigarh District Raigarh Chhattisgarh
9. Principal, Government Higher Secondary School, Gerwani, Block Raigarh District Raigarh Chhattisgarh

**Respondents**

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| For Petitioners       | : | Mr. K.P. Sahu, Advocate         |
| For State/Respondents | : | Ms. Shriya Mishra, Panel Lawyer |

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**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**25/04/2019**

1. Ignoring the default pointed out by the Registry, with the consent of the parties this matter is heard finally and disposed off at motion 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 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.

5. It appears that the petitioners have till date not made any representation in this regard. Counsel for the petitioners makes a prayer that the petitioners may be permitted to make suitable representation within a period of two weeks from today. Prayer is allowed. 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.
6. 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**