

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 3041 of 2019**

1. Vijay Kumar Panda S/o Shri Naripanth Panda, Aged About 43 Years Presently Working As Lecturer (L. B.) At Govt. Girls Higher Secondary School, Gharghoda, Block Gharghoda, District Raigarh Chhattisgarh
2. Smt. Rajni Panda W/o Shri Vijay Kumar Panda Aged About 41 Years Presently Working As Lecturer (L. B.) At Govt. Girls Higher Secondary School, Kudumkela, Block Gharghoda, District Raigarh Chhattisgarh
3. Smt. Shivkumari Pandey W/o Shri Santosh Kumar Pandey Aged About 50 Years Presently Working As Lecturer (L.B.) At Govt. Girls Higher Secondary School, Gharghoda, Block Gharghoda, District- Raigarh, Chhattisgarh
4. Smt. Jyoti Khalkho W/o Shri Jaisingh Khalkho Aged About 48 Years Presently Working As Teacher (L.B.) At Govt. Girls Higher Secondary School, Gharghoda, Block Gharghoda, District- Raigarh, Chhattisgarh.
5. Smt. Nivedita Singh Thakur W/o Shri Shilendra Singh Thakur Aged About 41 Years Presently Working As Teacher (L.B.) At Govt. Girls Higher Secondary School, Gharghoda, Block Gharghoda, District- Raigarh, Chhattisgarh
6. Sanjay Kumar Panda S/o Shri Ayodhya Prasad Panda Aged About 40 Years Presently Working As Lecturer (L.B.) At Govt. Higher Secondary School, Porda, Block Gharghoda, District- Raigarh, Chhattisgarh

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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 Mantralay, Police Station Rakhi, Tahsil Aarang Naya Raipur, District Raipur Chhattisgarh
3. District Education Officer Raigarh District Raigarh Chhattisgarh
4. Block Education Officer, Gharghoda, District Raigarh Chhattisgarh
5. Principal Govt. Girls Higher Secondary, School, Gharghoda, Block Gharghoda, District Raigarh Chhattisgarh

6. Principal Govt. Higher Secondary School, Kudumkela, Block, Gharghoda, District Raigarh Chhattisgarh
7. Principal Govt. Higher Secondary School, Porda, Blcok Gharghoda, District Raigarh Chhattisgarh

Respondents

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

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