

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2938 of 2019

1. Smt. Madhuri Sahu W/o Shri Santosh Kumar Sahu Aged About 37 Years Working As Assistant Teacher (L.B.) And Posted At Government Primary School Itwa, Block Masturi, District - Bilaspur Chhattisgarh.
2. Smt. Jyoti Singh W/o Shri Mukesh Singh Aged About 37 Years Working As Assistant Teacher (L.B.) And Posted At Government Primary School Itwa, Block Masturi, District - Bilaspur Chhattisgarh.
3. Smt. Pooja Dubey W/o Shri Shailendra Dubey Aged About 37 Years Working As Teacher (L.B.) And Posted At Government Middle School Itwa, Block Masturi, District - Bilaspur Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat Mahanadi Bhawan, Mantralaya, New Raipur District - Raipur Chhattisgarh.
2. Secretary Department Of School Education Mahanadi Bhawan, Mantralaya, New Raipur District - Raipur Chhattisgarh.
3. Director Directorate Of Chhattisgarh Public Instruction, Atal Nagar Raipur District - Raipur Chhattisgarh.
4. District Education Officer Bilaspur, District Bilaspur Chhattisgarh.
5. Chief Executive Officer Zila Panchayat, Bilaspur, District Bilaspur Chhattisgarh.
6. Block Education Officer Block Masturi, District Bilaspur Chhattisgarh.
7. Chief Executive Officer Janpad Panchayat Masturi, District Bilaspur Chhattisgarh.

---Respondents

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

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18/04/2019

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 in the present writ petition 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. In the like nature of dispute, similar order has been passed in WPS No. 3436/2018. It was directed that the representation be made to the respondents No.1 & 2 to take a decision, as to whether the petitioners would be entitled for the similar benefit as has been granted to the regular government teachers. On such representation being made within a period of 30 days from today, the same shall be decided within a further period of 4 months from the date of receipt of representation so made by the petitioner.
4. Considering 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 Government, let the petitioners make representation to the respondents No.1 & 2 within a period of 30 days from the date of receipt of certified copy of this order and the respondents No.1 & 2 in turn shall take a decision on such representation within a further period of 4 months from the date of receipt of representation.
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.
6. With such observation, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge