

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3650 of 2019

1. Gajadhar Prasad Temariya S/o Shri Jagannath Temariya Aged About 48 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Kotagaon, Block Doundi, District- Balod, Chhattisgarh
2. Jitendra Kumar Thakur S/o Shri Hemu Ram Thakur Aged About 36 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Kotagaon, Block Doundi, District- Balod, Chhattisgarh
3. Smt. Seema Rajoriya W/o A. K. Rajoriya Aged About 48 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Kotagaon, Block Doundi, District- Balod, Chhattisgarh
4. Santosh Kumar Thakur S/o Shri Aghanu Ram Thakur Aged About 37 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School, Kotagaon, Block Doundi, District- Balod, Chhattisgarh
5. Suresh Kumar Thakur S/o Shri Rajkumar Thakur Aged About 31 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Kotagaon, Block Doundi, District- Balod, Chhattisgarh, District : Raigarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh
2. District Education Officer, Balod, District- Balod, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Ajay Shrivastava, Advocate.
For State	:	Mr. Ishan Verma P.L. Advocate.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

13/05/2019

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 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. The petitioners in this regard have made representations to the respondents which are collectively marked in the petition as Annexure P-4.
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 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 1 & 2 along with any fresh representation, if they so prefer.
4. 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