

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4020 of 2019

1. Punam Chand Thakur S/o Bodhi Ram Thakur Aged About 45 Years Working As Lecturer (L. B.) At Govt. Higher Secondary School Badekanera, Block Kondagaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh
2. Smt. Bhupeshwari Thakur W/o Punam Chand Thakur Aged About 38 Years Working As Lecturer (L. B.) At Govt. Higher Secondary School Karanji, Block Kondagaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh
3. Tularam Netam S/o Bavjiram Netam Aged About 38 Years Working As Lecturer (L. B.) At Govt. Higher Secondary School Karanji, Block Kondagaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh
4. Gurdeep Singh Chhabra S/o Harbans Lal Chhabra Aged About 48 Years Working As Lecturer (L. B.) At Govt. Higher Secondary School Bunagaon, Block Kondagaon, District Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Directorate Of Public Instruction, Indravati Bhawan, Naya Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer Kondagaon District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh
4. Block Education Officer Kondagaon District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

---Respondents

For Petitioners	:	Mr. Govind Dewangan, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17/05/2019

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.
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

Ved