

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3999 of 2019

1. Ravi Kumar Sonwani S/o Shri Meghnath Sonwani Aged About 37 Years Presently Working As Assistant Teacher (T. L. B.) At Government Primary School Bodalpara, Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
2. Sharda Prasad Sahu S/o Shri Hira Lal Sahu Aged About 44 Years Presently Working As Teacher (T.L.B.) At Government Middle School Nawadih, Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
3. Rupesh Kumar Sharma S/o Ramdulare Sharma Aged About 39 Years Presently Working As Assistant Teacher (T.L.B.) At Government Primary School, Vijaynagar, Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
4. Nand Kumar Verma S/o Shri Radhe Lal Verma Aged About 41 Years Presently Working As Assistant Teacher (T.L.B.) At Government Primary School, Kutena , Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
5. Santosh Kumar Sahu S/o Shri Ganesh Ram Sahu Aged About 33 Years Presently Working As Assistant Teacher (T.L.B.) At Government Primary School, Chattanpara , Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
6. Anand Ram Chakradhari S/o Shri Premlal Chakradhari, Aged About 51 Years Presently Working As Assistant Teacher (T.L.B.) At Government St. Girls Asharam Dadargaon (Naya) , Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
7. Smt. Rajeshwari Verma W/o Lalit Kumar Verma Aged About 45 Years Presently Working As Teacher (T.L.B.) At Government Middle School, Tilaidadar , Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
8. Purushottam Lal Dewangan S/o Shri Bhagwani Ram Dewangan Aged About 41 Years Presently Working As Assistant Teacher (T.L.B.) At Government Primary School, Thuhapani , Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
9. Gaukaran Banjare S/o Shri Mangal Banjare Aged About 43 Years Presently Working As Assistant Teacher (T.L.B.) At Government Primary School, Khusrupali , Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
10. Birjhu Ram Banjare S/o Shri Chetan Ram Banjare Aged About 35 Years Presently Working As Teacher (T.L.B.) At Government Middle School, Devari, Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
11. Prem Lal Sahu S/o Shri Ramjeevan Sahu Aged About 38 Years Presently Working As Teacher (T.L.B.) At Government Middle School, Bodrabandha (B) , Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh

12. Smt. Johra Fatima Qureshi W/o Sharif Mohammed Qureshi Aged About 42 Years Presently Working As Teacher (T.L.B.) At Government Middle School, Bodrabandha (B) , Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
13. Fagesh Singh Kanver S/o Shri Jahalu Ram Kanver Aged About 44 Years Presently Working As Teacher (T.L.B.) Government Middle School Devari , Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
14. Rajesh Kumar Nishad S/o Shri Hriday Ram Nishad Aged About 31 Years Presently Working As Assistant Teacher (T.L.B.) At Government Primary School Dongripara , Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
15. Goukaran Das Gaide S/o Shri Harishankar Das Gaide Aged About 46 Years Presently Working As Assistant Teacher (T.L.B.) At Government Primary School Kurrapara , Block Chhura District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
16. Harikrishna Bhargava S/o Shri Derha Ram Bhargava, Aged About 51 Years Presently Working As Lecturer (E.L.B.) At Government Higher Secondary School Kopra , Block Fingeshwar District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
17. Niranjana Tiwari S/o Shri Shankar Prasad Tiwari Aged About 47 Years Presently Working As Lecturer (E.L.B.) At Government Higher Secondary School Kopra , Block Fingeshwar District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
18. Uday Ram Sahu S/o Shri Mansha Ram Sahu Aged About 50 Years Presently Working As Lecturer (E.L.B.) At Government Higher Secondary School Kopra , Block Fingeshwar District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
19. Lileshwar Prasad Sahu S/o Shri Ramnath Sahu Aged About 43 Years Presently Working As Lecturer (E.L.B.) At Government Higher Secondary School Kopra , Block Fingeshwar District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
20. Harishankar Sahu S/o Shri Sudhelal Sahu Aged About 45 Years Presently Working As Lecturer (E.L.B.) At Government Higher Secondary School Kopra , Block Fingeshwar District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
21. Ku. Hemlata Kuril D/o Shri Bihari Lal Kuril Aged About 47 Years Presently Working As Lecturer (E.L.B.) At Government Higher Secondary School Kopra , Block Fingeshwar District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
22. Smt. Deena Devi Sahu W/o Shri Rakesh Kumar Sahu Aged About 46 Years Presently Working As Assistant Teacher (E.L.B.) At Government Primary School Tohangipara Basin , Block Fingeshwar District Gariaband Chhattisgarh., District : Gariyabandh, Chhattisgarh
23. Jitendra Kumar Sonwani S/o Shri Mangal Ram Sonwani Aged About 36 Years Presently Working As Teacher (T.L.B.) At Government Middle School Koyba , Block Mainpur, District Gariaband Chhattisgarh., District : Gariyabandh, 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., District : Raipur, Chhattisgarh
2. Secretary, Department Of Education , Mantralaya Police Station Rakhi Tahsil Aarang, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Executive Officer, Zila Panchayat, Gariaband, District Gariaband Chhattisgarh., District : Gariabandh, Chhattisgarh
4. District Education Officer, Gariaband, District Gariaband Chhattisgarh., District : Gariabandh, Chhattisgarh
5. Block Education Officer, Block Chhura, District Gariaband, Chhattisgarh., District : Gariabandh, Chhattisgarh
6. Block Education Officer, Block Fingeshwar, District Gariaband Chhattisgarh., District : Gariabandh, Chhattisgarh
7. Block Education Officer, Block Mainpur , District Gariaband Chhattisgarh., District : Gariaband, Chhattisgarh

---Respondents

For Petitioners	:	Mr. C. Jayant K. Rao, Advocate
For State	:	Ms. Shriya Mishra, Panel Lawyer

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