

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4743 of 2019

1. Smt. Anita Patel W/o Shri Ramakant Patel Aged About 42 Years Working As Lecturer (LB) At Govt. Higher Secondary School Dhaurabhata, District Raigarh Chhattisgarh

---- Petitioner

Versus

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

-----Respondents

For Petitioner	: Shri Keshav Dewangan, Advocate.
For State	: Shri P. Acharya, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28.06.2019

1. The limited prayer which the petitioner has sought in this Writ Petition is for a direction to Respondent No. 1 to take a decision on the claim of the petitioner for grant of two advance increments on her 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 petitioner is based on the fact that the nature of duties discharged by her as a Shiksha Karmi is 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 petitioner. The petitioner in this regard has made representations to the respondents.

3. Given the nature of dispute and also the fact that the claim of the petitioner would require a policy decision on the part of the State Government, this Court does not intend to keep the petition pending any further, rather ends of justice would meet if the petition is disposed off with a direction to respondents No. 1 and 2 to take a decision in this regard as to whether the petitioner 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 petitioner to bring the order of this Court to the notice of Respondents No. 1 and 2 along with any fresh representation, if he so prefers.
4. It is made clear that this Court has not expressed anything on merits of the case so far as the entitlement of the petitioner is concerned. The Respondents shall be at liberty to take a decision independently.

**Sd/-
(P. Sam Koshy)
Judge**