

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4505 of 2019

1. Masu Ram Mandavi S/o Shri Madda Ram Mandavi Aged About 43 Years Lecturer (L.B.), Govt. Higher Secondary School, Kothiyaguda, Block-Lohandiguda, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
2. Dilip Kumar Kashyap S/o Shri Nakul Singh Kashyap Aged About 35 Years Lecturer (L.B.), Govt. Higher Secondary School, Kothiyaguda, Block-Lohandiguda, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
3. Budhram Nag S/o Hirma Ram Nag Aged About 41 Years Lecturer (L.B.), Govt. Higher Secondary School, Kothiyaguda, Block- Lohandiguda, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
4. Laxminath Gadmiya S/o Shri Daya Ram Gadmiya Aged About 33 Years Lecturer (L.B.), Govt. Higher Secondary School, Kothiyaguda, Block-Lohandiguda, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Secretary Department Of Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Executive Officer Zila Panchayat, Jagdalpur, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
4. District Education Officer Jagdalpur, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
5. Block Education Officer Lohandiguda, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

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For Petitioner	:	Mr. Harish Khuntiya, Advocate
For State	:	Ms. Astha Shukla, PL

Hon'ble Shri Justice P. Sam Koshy

Order on Board

24/06/2019

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 his 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 him as Shiksha Karmi is identical and similar to the government teachers and his 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.
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 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 petitioner would also be entitled for similar benefits as are being granted to the regular government teachers. It is ordered accordingly.
4. 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 1 & 2 along with any fresh representation, if they so prefer.
5. 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