NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4648 of 2019

Smt. Sunayana Dewangan W/o Shri Bholesh Dewangan Aged About 30 Years D/o Shri Jhanaklal Dewangan, Post Lecturer (Panchayat), R/o Kosta Para, Tikari, Arjunda District Balod Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary , Department Of Panchayat And Rural Development, Ministry Mahanadi Bhawan Atal Nagar, Raipur District Raipur Chhattisgarh.
2. The Director Department Of Panchayat And Rural Development, Raipur, District Raipur Chhattisgarh.
3. Chief Executive Officer District Panchayat Kondagaon, District Kondagaon Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Alok Kumar Dewangan, Advocate
For State	:	Ms. Astha Shukla, Panel Lawyer

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

27/06/2019

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 Shiksha Karmi is identical and similar to the government teachers and her 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

Ved