

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5154 of 2019

1. Hemant Kumar Singh, S/o Shri Santanu Singh, Aged About 37 Years, Presently Working On The Post Of Lecturer Govt. Higher Secondary School Jarhadih Block - Balrampur, District Balrampur Ramanujganj Chhattisgarh
2. Smt. Mamta Rani Kujur, W/o Shri Amaryus Bakhala, Aged About 36 Years, Presently Working On The Post Of Assistant Teacher Govt. Primary School Raksadadar Block - Balrampur District Balrampur, Ramanujganj Chhattisgarh
3. Smt. Meena Bara, W/o Shri Ashok Kerketta, Aged About 37 Years, Presently Working On The Post Of Assistant Teacher Govt. Primary School Dhodhikona, Block - Balrampur District Balrampur Ramanujganj Chhattisgarh
4. Smt. Phirdina Bara W/o Elfred Kumar Lakra Aged About 35 Years Presently Working On The Post Of Assistant Teacher Govt. Primary School Amdanda, Block Balrampur District Balrampur Ramanujganj Chhattisgarh
5. Baleshwar Khalkho S/o Shri Shilsai Aged About 39 Years Presently Working On The Post Of Lecturer Govt. High School Chitvishrampur Block - Balrampur, District Balrampur Ramanujganj Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. The Secretary Department Of Panchayat And Rural Development, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
3. The District Education Officer Balrampur, District Balrampur Ramanujganj Chhattisgarh
4. Chief Executive Officer Zila Panchayat Balrampur District Balrampur Ramanujganj Chhattisgarh

5. Block Education Officer Balrampur District Balrampur Ramanujganj
Chhattisgarh

---Respondents

For Petitioners	:	Mr. A.N. Pandey, Advocate
For State	:	Mr. P. Acharya, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16.07.2019

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 off 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 No. 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