

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPS No. 5089 of 2019**

1. Mithlesh Kumar Dinkar S/o Shri Rampratap Dinkar Aged About 34 Years  
Occupation Assistant Teacher/ Lb. Govt. Primary School Bhoovakapa R/o  
Gram Bhoovakapa Thana Kota Tahsil Takhatpur District Bilaspur  
Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Smt. Dipshikha Mishra S/o Shri R S Mishra Aged About 34 Years  
Occupation Assistant Teacher L B Govt. Primary School Mohanbhata R/o  
Village Mohanbhata Thana Kota Tahsil Takhatpur District Bilaspur  
Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Smt. Shruti Sahu S/o Shri Gyandas Sahu Aged About 38 Years  
Occupation Assistant Teacher L B Govt. Boys Primary School Jarodha R/o  
Village Jarodha Thana Takhatpur Tahsil Takhatpur District Bilaspur  
Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Balmukund Baghel S/o Shri Chedilal Aged About 33 Years Occupation  
Assistant Teacher L B Govt. Primary School Parsapara R/o Village  
Parsapara Thana Kota Tahsil Takhatpur District Bilaspur Chhattisgarh.,  
District : Bilaspur, Chhattisgarh
5. Nathuram Lahrey S/o Shri Jwalaprasad Aged About 34 Years Occupation  
Assistant Teacher L B Govt. Primary School Nevra R/o Village Nevra  
Thana Kota Tahsil Takhatpur District Bilaspur Chhattisgarh., District :  
Bilaspur, Chhattisgarh
6. Chitrakant Sahu S/o Shri Dayaram Sahu Aged About 32 Years Occupation  
Assistant Teacher L B Govt. Primary School Narootikapa R/o Village  
Narootikapa Thana Kota Tahsil Takhatpur District Bilaspur Chhattisgarh.,  
District : Bilaspur, Chhattisgarh

**---- Petitioners**

**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education  
Department Mantralaya Mahanadi Bhavan Naya Raipur, Chhattisgarh.,  
District : Raipur, Chhattisgarh
2. Secretary Panchayat, Gramin Vikas And Shram Bhibhag, Mantralaya  
Naya Raipur Chhattisgarh., District : Raipur, Chhattisgarh

3. Aayukt Aadim Jati Tatha Anusuchit Jati Vikas Chhattisgarh Indravati Bhawan Naya Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Chief Executive Officer District Panchayat Bilaspur District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
5. Chief Executive Officer Janpad Panchayat Takhatpur District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
6. District Education Officer Bilaspur District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

**---- Respondents**

|                |   |                           |
|----------------|---|---------------------------|
| For Petitioner | : | Mr. R. K. Patel, Advocate |
| For State      | : | Mr. Jitendra Pali, Dy. AG |

**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**15/07/2019**

1. The limited prayer which the petitioners 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 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 him as 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 petitioners.
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 petitioners 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 petitioners 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**

Rohit