

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPS No. 5319 of 2019**

Anil Kumar Gupta S/o Shri Jay Kumar Gupta Aged About 38 Years  
Assistant Teacher (Science) (L.B.) Working As In Charge Lab Assistant At  
Government High School Durgapur, Janpad Panchayat Shankargarh,  
District- Balrampur-Ramanujganj, Chhattisgarh., District : Balrampur,  
Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary, Of School Education  
Department, Mahanadi Bhawan, Mantralya, Capital Complex, Atal Nagar,  
Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. District Education Officer Balrampur- Ramanujganj, District- Balrampur-  
Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh
3. Shankargarh District- Balrampur-Ramanujganj, Chhattisgarh., District :  
Balrampur, Chhattisgarh

**---- Respondents**

|                |   |                                  |
|----------------|---|----------------------------------|
| For Petitioner | : | Mr. Pramod Shrivastava, Advocate |
| For State      | : | Mr. Sameer Behar, PL             |

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

**Order on Board**

**22/07/2019**

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**