

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 5213 of 2019**

1. Jansewak Ram S/o Shri Bandhu Ram, Aged About 47 Years Working As Assistant Teacher (L.B.) At Primary School Laldera, Janpad Panchayat Shankargarh, District Balarampur -Ramanujganj Chhattisgarh
2. Adlin Anita Xess S/o Shri Ram Kunwar, Aged About 40 Years, Working As Assistant Teacher (L.B.) At Middle School Sarganva, Janpad Panchayat Shankargarh, Tahsil And Police Station Shankargarh. District Balarampur -Ramanujganj Chhattisgarh
3. Shiv Kumar Yadav S/o Nand Kishore Yadav, Aged About 40 Years Working As Assistant Teacher (L. B.) At Primary School Hostel, Jagima, Janpad Panchayat Shankargarh, District Balrampur-Ramanujganj Chhattisgarh

---- Petitioners**Versus**

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

---- Respondents

For Petitioners	:	Mr. Pramod Shrivastava, Advocate
For Respondent/State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****17/07/2019**

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 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 Karmi 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 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. 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.
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