

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5345 of 2019

1. Raghuraj Dewangan S/o Shri Premdas Dewangan Aged About 48 Years Working As Lecturer (L B) And Posted At Govt. Higher Secondary School Dharampura, Block Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
2. Smt. Bharti Dewangan W/o Shri Raghuraj Dewangan Aged About 39 Years Through Secretary , Department Of Panchayat Mahanadi Bhawan Mantralaya, New Raipur District Raipur Chhattisgarh.
3. Smt. Deepa Dubey W/o Shri Prashant Dubey Aged About 44 Years Working As Lecturer Panchayat And Posted At Govt. Higher Secondary School Dharampura, Block Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
4. Smt. Sushma Tiwari W/o Shri Nitesh Tiwari Aged About 36 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Dharampura, Block Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
5. Smt. Maheshwari Sahu W/o Shri Avan Kumar Sahu Aged About 32 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Fasterpur, Block Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
6. Sukhchand Patle S/o Shri Dhanaku Patle Aged About 40 Years Working As Teacher (Panchayat) And Posted At Govt. Middle School Fasterpur, Block Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
7. Dhan Singh Dindore S/o Shri Lakhan Lal Dindore Aged About 44 Years Working As Lecturer (Panchayat) And Posted At Govt. Higher Secondary School Fasterpur, Block Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
8. Smt. Hirmanti Kujur W/o Prakash Kujur Aged About 44 Years Working As Lecturer (L B) And Posted At Govt. Higher Secondary School Dharampura, Block Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
9. Aakash Parihar S/o Shri S S Parihar Aged About 48 Years Working As Lecturer (L B) And Posted At Govt. Higher Secondary School Fasterpur, Block Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
10. Malik Ram Diwakar S/o Shri Lekharam Diwakar Aged About 42 Years Working As Lecturer (L B) And Posted At Govt. Higher Secondary School Dharampura, Block Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
11. Gore Lal Banjare S/o Shri Kanhaiya Lal Banjare Aged About 45 Years Working As Lecturer (L B) And Posted At Govt. Higher Secondary School Dabo, Block Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh

12. Smt. Preeti Singh W/o Shri Aakash Parihar Aged About 40 Years Working As Lecturer (L B) And Posted At Govt. Higher Secondary School Dharampura, Block Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh

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Versus

1. State Of Chhattisgarh Through Secretary , Department Of School Education Mahanadi Bhawan Mantralaya, Atal Nagar New Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. District Education Officer Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh
3. Block Education Officer Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh

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For Petitioner	:	None
For State	:	Mr. Arvind Dubey, Panel Lawyer

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

23/07/2019

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. The petitioners in this regard have made representations to the respondents which are collectively marked in the petition as Annexure P-4.

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

Ved