

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 5683 of 2019

Smt. Salma Bano W/o Md. Aabid Aged About 49 Years Occupation- Teacher (LB), Mishri Devi Government Girls Higher Secondary School, Gourela, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Director School Education Department Indrawati Bhawan, Mantralaya, Atal Nagar, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. The District Education Officer Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Block Education Officer Block- Gourela, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
5. The Principal Mishri Devi Government Girls Higher Secondary School, Gourela, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Vineet Kumar Pandey, Advocate
For State	:	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/08/2019

1. With the consent of learned counsel for the parties, the matter is heard finally.
2. By this petition, the petitioner seeks a direction to the respondents to pay two advance increments on passing of B.Ed. Examination, on [her own](#) expenses before entering into service.
3. Learned counsel appearing for the petitioner submits that the issue involved in the present case is no longer ***res integra*** as the same has been considered and decided by the Supreme Court in “***Asha Saxena v. State of M.P. & Ors.***” 2009(III) MPJR (SC) 59 as well as by this Court in the matter

of “**Yashwant Kumar Bharadwaj v. Municipal Corporation, Durg & Another**” 2006(II) MPJR-CG 96 and “**Gopesh Kumar Verma v. The State Govt. of Chhattisgarh and another**” (WPS No. 4130 of 2005).

4. Counsel for the petitioner further submits that the instant petition is squarely covered by the decisions as aforestated. Thus, the petitioner may be permitted to make a representation to the respondents authorities to decide [her case](#) for grant of two increments in the light of the aforestated decisions, subject to verification of the facts as to whether the petitioner has acquired B.Ed. certificate on [her own](#) expense before entering into service.
5. Learned counsel appearing for the State/respondents submits that in the event, the petitioner makes a representation, the same will be considered and decided, in accordance with law and in the light of the decisions of the Supreme Court in “**Asha Saxena**” (supra) as well as this Court in “**Yashwant Kumar Bharadwaj**” and “**Gopesh Kumar Verma**” (supra), within a period of 4 weeks from the date of receipt of the representation.
6. In view of foregoing, according to the learned counsel appearing for the petitioner, nothing survives in this petition for adjudication.
7. Accordingly, the writ petition is disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved