

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5712 of 2019**

Shailendra Kumar Nande S/o Late Shri Raghunandan Prasad Nande
Aged About 41 Years, Presently Posted And Working As Lecturer
(English) Government Higher Secondary School Chakradhar Nagar,
Raigarh, District Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanandi Mantralaya, Atal Nagar, Post Office And Police Station Atal Nagar, District Raipur, Chhattisgarh
2. Director, Directorate Of Public Instructions, Indrawati Bhawan, Atal Nagar, Post Office And Police Station Atal Nagar, District Raipur Chhattisgarh
3. Collector (Tribal Development) Raigarh, District Raigarh Chhattisgarh
4. District Education Officer, Raigarh, District Raigarh, Chhattisgarh
5. Joint Director (Treasury Accounts And Pension) Bilaspur Division, Bilaspur, Chhattisgarh
6. Principal, Government Higher Secondary School, Chakradhar Nagar, Raigarh, District Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Dhani Ram Patel, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order On Board**05.08.2019**

1. Learned counsel for the petitioner submits that vide order dated 4.7.2017, in the case of one Tilak Ram Patel, UDT, the Govt. has passed specific order that who have been appointed on compassionate basis will not be deprived of two advance increments even if they have been appointed after 16.6.1993. He submits that the petitioner's case is similarly situated as Tilak Ram Patel.
2. After having gone through the order dated 4.7.2017, it is found that in the case of one Tilak Ram who was appointed on 27.9.1994 on compassionate basis has been held entitled for two advance increments even though he was appointed after 16.6.1993, on the premise that the earlier circular for grant of two advance increments to those who have obtained D.Ed. at their own expenses would not apply in cases of compassionate appointment. Therefore, in these circumstances, the case of the petitioner deserves consideration.
3. The petition is accordingly finally disposed off with a direction to the respondent authority to examine petitioner's case on parity and grant similar benefit to the petitioner as has been extended to one Tilak Ram Patel, within a period of three months.

**Sd/-
P. Sam Koshy
Judge**