

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 5688 of 2019**

1. Somlal Sahu S/o Shri Ramprasad Sahu Aged About 49 Years Working As Teacher (L.B.) And Posted At Govt. Middle School Kanwar, Block,. Gurur, District Balod Chhattisgarh., District : Balod, Chhattisgarh
2. Narad Thakur S/o Late Shri Heera Singh Thakur Aged About 32 Years Working As Teacher (L.B.) And Posted At Govt. Middle School Kanwar, Block Gurur, District Balod Chhattisgarh.
3. Kamal Kishor Sahu S/o Shri Basant Kumar Sahu Aged About 32 Years Working As Teacher (L.B.) And Posted At Government Middle School Maragaon, Block Magarlod, District Dhamtari Chhattisgarh.
4. Tikendra Kumar Chandrakar S/o Shri Nohar Singh Chandrakar Aged About 35 Years Working As Teacher (L.B.) And Posted At Govt. Higher Secondary School Tandawa, Block Tilda, District Raipur Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of School Education Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District Raipur Chhattisgarh
2. District Education Officer Blod, District Balod Chhattisgarh
3. District Education Officer Dhamtari, District Dhamtari Chhattisgarh
4. District Education Officer Raipur, District Raipur Chhattisgarh

---Respondents

For Petitioner	:	Mr. Vinod Kumar Sharma, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/08/2019**

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.
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