

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 6062 OF 2019**

Girish Kumar Sinha, S/o. Shri Ishwari Prasad sinha, Aged about 32 years, working as Assistant Teacher (L.B.) and posted at Govt. Primary School, Madiyapar, Cluster Hirri, Block Dhamdha, District Durg (CG)

... Petitioner**versus**

1. State Of Chhattisgarh, Through The Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh.
2. Director, Directorate of Chhattisgarh, Public Instructions, Indravati Bhawan, Atal Nagar, Raipur, District Raipur (CG)
3. District Education Officer, Durg, District Durg (CG)
4. Block Education Officer, Block Dhamdha, District Durg (CG)

... Respondents

For Petitioner	:	Mr. O.P. Sahu, Advocate
For Respondent-State	:	Mr. P. Acharya, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****13/08/2019**

1. The limited prayer which the petitioner has sought in the present writ petition is for a direction to respondent no.1 to take a decision on the claim of the petitioner for grant of two advance increments on his obtaining B.Ed./D.Ed. certificate both prior to appointment as well as subsequent to the appointment which is being otherwise provided to the government teachers.

2. The claim of the petitioner is based on the fact that the nature of duty discharged by him as Shiksha Karmi is identical and similar to the government teachers and his service has 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 petitioner. The petitioner shall in this regard make a detailed representation to the respondents within a period of 3 weeks from today.

3. Given the nature of dispute and also the fact that the claim of the petitioner would require a policy decision on the part of the State Government, this Court does not intend to keep the petition pending any further, rather ends of justice would meet if the writ petition itself is disposed of with a direction to respondents 1 & 2 to take a decision on the representation so filed by the petitioner and thereby decide as to whether the petitioner would also be entitled for similar benefits as are being granted to the regular government teachers. It is ordered accordingly.

4. Let this exercise be concluded within a period of four months from the date of receipt of certified copy of this order. It shall be the responsibility of the petitioner to bring the order of this Court to the notice of respondents 1 & 2 along with any fresh representation, if he so prefers.

5. It is made clear that this Court has not expressed anything on merits of the case so far as the entitlement of the petitioner is concerned. The respondents shall be at liberty to take a decision independently.

6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

/sharad/