

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6557 of 2019

1. Kishore Kumar Sahu S/o Shri Heeralal Sahu Aged About 51 Years Working As Lecturer (E. L. B.) And Posted At Government Higher Secondary School Faradfod, Block Doundilohara, District Balod, Chhattisgarh., District : Balod, Chhattisgarh
2. Roman Singh Khare S/o Shri Rameshwar Singh Khare Aged About 54 Years Working As Lecturer (E. L. B.) And Posted At Government Higher Secondary School Faradfod, Block Doundilohara, District Balod, Chhattisgarh., District : Balod, Chhattisgarh
3. Santosh Singh Nagvanshi S/o Shri Kawal Singh Nagvanshi Aged About 48 Years Working As Lecturer (E. L. B.) And Posted At Government Higher Secondary School Faradfod, Block Doundilohara, District Balod, Chhattisgarh., District : Balod, Chhattisgarh
4. Vinay Kumar Taram S/o Shri Halaluram Taram Aged About 49 Years Working As Lecturer (E. L. B.) And Posted At Government Higher Secondary School Faradfod, Block Doundilohara, District Balod, Chhattisgarh., District : Balod, Chhattisgarh
5. Mahesh Kumar Vaishnav S/o Shri Vyasnarayan Aged About 49 Years Working As Lecturer (E. L. B.) And Posted At Government Higher Secondary School Faradfod, Block Doundilohara, District Balod, Chhattisgarh., District : Balod, Chhattisgarh
6. R. Satyanarayan Murty S/o Shri R. Kaleshwar Rao Aged About 39 Years Working As Lecturer (E. L. B.) And Posted At Government Higher Secondary School Faradfod, Block Doundilohara, District Balod, Chhattisgarh., District : Balod, Chhattisgarh
7. R. Jyotsana S/o Shri R. Satyanarayan Murty Aged About 51 Years Working As Lecturer (E. L. B.) And Posted At Government Higher Secondary School Faradfod, Block Doundilohara, District Balod, Chhattisgarh., District : Balod, Chhattisgarh
8. Naseem Fatima Quaraishi D/o Shri Mobin Ahmad Khan Aged About 50 Years Working As Lecturer (E. L. B.) And Posted At Government Higher Secondary School Faradfod, Block Doundilohara, District Balod, Chhattisgarh., District : Balod, 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 Balod, District Balod, Chhattisgarh., District : Balod, Chhattisgarh

---Respondents

For Petitioners	:	Mr. Vinod Kumar Sharma, Advocate
For State	:	Ms. Abhyunnati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

28/08/2019

1. Counsel for the petitioners prays for a minor correction to be made in the cause-title so far as the name of the petitioner No. 8 is concerned.
2. Not opposed.
3. Let necessary correction be done during the course of the day itself.
4. 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.
5. 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.
6. 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.

7. 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

Jyotijha