

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 6375 of 2019

1. Manik Ram Burman S/o Shri Bhagat Ram Burman Aged About 47 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Lalpur Thana, Block Lormi, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh
2. Geeta Prasad Burman D/o Shri Ramsahay Aged About 44 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Lalpur Thana, Block Lormi, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh
3. Mahesh Kumar Khande S/o Shri Darshan Khande Aged About 45 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Lalpur Thana, Block Lormi, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh
4. Dev Prasad Burman S/o Shri Saharu Ram Burman Aged About 45 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Lalpur Thana, Block Lormi, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh
5. Shriwcharan Tandan S/o Shri Sakharam Tandan Aged About 42 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Lalpur Thana, Block Lormi, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh
6. Shankar Lal Suryavanshi S/o Shri Bhulau Ram Suryavanshi Aged About 33 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Lalpur Thana, Block Lormi, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

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Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanandi Bhawan, Atal Nagar, New Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. District Education Officer Mungeli District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

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For Petitioner	:	Mr. Anukul Biswas, Advocate
For State	:	Mr. Ashutosh Mishra, PL

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/08/2019

1. The limited prayer which the petitioners has 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 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 Govt. teachers.
2. The claim of the petitioners is based on the fact that the nature of duties discharged by him as Shiksha Karmi is 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.

4. 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.
5. It is made clear that this Court has not expressed anything on merits of the case so far as the entitlement of the petitioners is concerned. The Respondents shall be at liberty to take a decision independently.

Sd/-
(P. Sam Koshy)
Judge

Rohit