

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS. No. 7234 OF 2019**

1. Manju Bhagat D/o Parasnathram Bhagat Aged About 33 Years Working As Assistant Teacher (L.B.), Posted At Govt. Higher Secondary School, Mahadevland, Block Bagicha, Tahsil Bagicha, District Jashpur Chhattisgarh
2. Deepak Ekka S/o Joseph Ekka Aged About 47 Years Working As Lecturer (L.B.), Posted At Govt. Higher Secondary School, Mahadevdand, Block Bagicha, Tahsil Bagicha, District Jashpur Chhattisgarh
3. Amrit Kerketta S/o S/o Simon Kerketta Aged About 48 Years Working As Lectuer (L.B.), Posted At Govt. Higher Secondary School, Mahadevdand, Block Bagicha, Tahsil Bagicha, District- Jashpur, Chhattisgarh.
4. Anant Kumar Singh S/o Balak Singh Aged About 45 Years Working As Lectuer (L.B.), Posted At Govt. Higher Secondary School, Kolhenjhariya, Block And, Tahsil Farshabahar, District- Jashpur, Chhattisgarh
5. Chandar Sai Paikra S/o Dhansai Paikra Aged About 43 Years Working As Lectuer (L.B.), Posted At Govt. High School, Bangaon, Block And, Tahsil Farshabahar, District- Jashpur, Chhattisgarh
6. Yugal Kishore Baghel S/o Neelkanth Baghel Aged About 43 Years Working As Lectuer (L.B.), Posted At Govt. Higher Secondary School, Kadro, Block And, Tahsil Patthalgaon, District- Jashpur, Chhattisgarh.
7. Mehar Lal Patel S/o Ghasiram Patel Aged About 37 Years Working As Lectuer (L.B.), Posted At Govt. Higher Secondary School, Ludeg, Block And, Tahsil Patthalgaon, District- Jashpur, Chhattisgarh.
8. Avinash Kumar Bhagat S/o Manbahal Singh Bhagat Aged About 36 Years Working As Lectuer (L.B.), Posted At Govt. Higher Secondary School, Kadro, Block And, Tahsil Patthalgaon, District- Jashpur, Chhattisgarh
9. Devendra Singh Patel S/o Rajkumar Patel Aged About 36 Years Working As Lectuer (L.B.), Posted At Govt. Middle School, Tangargaon, Block And, Tahsil Kanshabel, District- Jashpur, Chhattisgarh
10. Janak Sai S/o Paduram Aged About 41 Years Working As Lectuer (L.B.), Posted At Govt. Higher Secondary School, Mahadevdand, Block Bagicha Tahsil Bagicha District- Jashpur, Chhattisgarh.
11. Filmon Ekka S/o Dukhu Ekka Aged About 48 Years Working As Lecturer (L.B.), Posted At Govt. Higher Secondary School, Kotba, Block And, Tahsil Patthalgaon, District- Jashpur, Chhattisgarh.
12. Sudarshan Singh Patel S/o G.S. Patel Aged About 47 Years Working As Lectuer (L.B.), Posted At Govt. Boys Higher Secondary School, Bagicha, Block Bagicha, Tahsil Bagicha, District- Jashpur, Chhattisgarh
13. Brajesh Kumar Yadav S/o Bandhan Ram Yadav Aged About 47 Years Working As Lectuer (L.B.), Posted At Govt. Boys Higher Secondary School, Block Bagicha, And, Tahsil Bagicha, District- Jashpur, Chhattisgarh
14. Roopnarayan Singh S/o Jagdishwar Singh Aged About 41 Years Working As Lecturer (L.B.), Posted At Govt. Boys Higher Secondary School, Block Bagicha, And, Tahsil Bagicha, District- Jashpur, Chhattisgarh

15. Ku. Sandhya Rani Denjare D/o Laxman Prasad Denjare Aged About 36 Years Working As Lectuer (L.B.), Posted At Govt. Boys Higher Secondary School, Bagicha, Block And, Tahsil Bagicha, District- Jashpur, Chhattisgarh
---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District Raipur Chhattisgarh
2. Secretary Department Of School Eduation, Mahandi Bhawan, Mantralaya Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
3. Director Directorate Of Chhattisgarh Public Instructions, Raipur, Atal Nagar, Raipur, District- Raipur, Chhattisgarh.
4. Chief Executive Officer Zila Panchayat, Jashpur, District- Jashpur, Chhattisgarh.
5. District Education Officer Jashpur, District- Jashpur, Chhattisgarh
6. Chief Executive Officer Janpad Panchayat, Bagicha, District- Jashpur, Chhattisgarh.
7. Block Education Officer Bagicha, District- Jashpur, Chhattisgarh
8. Block Education Officer Patthalgaon, District- Jashpur, Chhattisgarh
9. Block Education Officer Farshabahr, District- Jashpur, Chhattisgarh.,
10. Block Education Officer Kanshabel, District- Jashpur, Chhattisgarh

---Respondent(s)

For Petitioner	:	Mr. Dilman Rati Minj, Adv.
For State	:	Ms. Sunita jain, G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13.09.2019

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 subject to verification of the factual aspects of the case 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 are concerned. The Respondents shall be at liberty to take a decision independently.

Sd/-

(P. Sam Koshy)
Judge