

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 7090 of 2019**

Krishan Bihari Singh S/o Shri Balram Singh, Aged About 45 Years
Occupation Sahayak Shikshak LB, Prathmik Shala Mahuapara Kenvra
R/o Village Mahuapara Kenvra, Vikaskhand Surajpur, Jila Surajpur
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Sachiv, School Shiksha Vibhag,
Mantralay Naya Raipur Chhattisgarh
2. Avar Sachiv, Aadim Jati Tatha Anu. Jati Vikas Vibhag, Chhattisgarh
Shasan Mantralay Mahanadi Bhawan Naya Raipur Chhattisgarh
3. Aayukt, Aadim Jati Tatha Anusuchit Jati Vikas Chhattisgarh, Indrawati
Bhavan Naya Raipur Chhattisgarh
4. Mukhya Karypalan Adhikari, Janpad Panchayat Bhaiyathan Jila
Surajpur Chhattisgarh
5. Collector Surajpur, Jila Surajpur, Chhattisgarh
6. Jila Shiksha Adhikari Surajpur, Jila Surajpur, Chhattisgarh
7. Vikas Khand Shiksha Adhikari, Vikaskhand Bhaiyathan, Jila Surajpur
Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Rajendra Kumar Patel, Advocate
For Respondent/State	:	Ms. Ishwari Ghritlahare, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****09/09/2019**

The limited prayer which the petitioner has sought in this 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 Govt. teachers.

2. The claim of the petitioner is based on the fact that the nature of duties discharged by the petitioner as Shiksha Karmi is identical and similar to the government teachers and his 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 petitioner.

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 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 petitioner 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 petitioner to bring the order of this Court to the notice of respondents 1 & 2 along with any fresh representation, if he so prefers.

4. 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.

Sd/-
(P. Sam Koshy)
JUDGE