

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 8050 of 2019**

1. Paltan Das Joshi S/o Shri Ghasiya Das Joshi, Aged About 51 Years
Occupation Teacher, Presently Posted As Vyakhyata (LB),
Government High School (RMSA), Udan, Block Chhuikhadan, District
Rajnandgaon, Chhattisgarh
2. Ganeshudas Banjare S/o Shri Sugandas Banjare, Aged About 47
Years, Occupation Teacher, Presently Posted As Shikshak (LB),
Government Middle School, Sukhari, Block Gandai, District
Rajnandgaon, Chhattisgarh
3. Anita Chandel D/o Jeevanlal Chandel, Aged About 38 Years
Occupation Teacher, Presently Posted As Shikshak (LB),
Government Primary School, Dhodha, Block Gandai, District
Rajnandgaon, Chhattisgarh
4. Sharad Kumar Sahu S/o Shri Latmar Sahu, Aged About 39 Years
Occupation Teacher, Presently Posted As Assistant Shikshak (LB),
Government Primary School, Dullapur, Police Station Atariyabazar,
Block Chhuikhadan, District Rajnandgaon, Chhattisgarh
5. Suresh Kumar Nagpure S/o Shri Dileep Singh Nagpure, Aged About
50 Years, Occupation Teacher, Presently Posted As Vyakhyata (LB),
Government High School (RMSA), Udan, Block Chhuikhadan, District
Rajnandgaon, Chhattisgarh
6. Mahesh Singh Thakur S/o Shri Kashi Singh Thakur, Aged About 46
Years Occupation Teacher, Presently Posted As Shikshak (LB),
Government Middle School, Udan, Block Chhuikhadan, District
Rajnandgaon, Chhattisgarh
7. Vidhyabhushan Banjare S/o Shri Tarandas Banjare, Aged About 46
Years, Occupation Teacher, Presently Posted As Shikshak (LB),
Government Middle School, Bhurbhusi, Block Chhuikhadan, District
Rajnandgaon, Chhattisgarh

8. Padum Ram Patel S/o Hansu Ram Patel, Aged About 49 Years Presently Posted As Assistant Teacher (LB), Government Primary School, Katangi, Block Chhuikhadan, District Rajnandgaon, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Mantralaya, Atal Nagar, Post Office And Police Station Atal Nagar, District Raipur, Chhattisgarh
2. Director, Directorate Of Public Instructions, Indrawati Bhawan, Atal Nagar, Post Office And Police Station Atal Nagar, District Raipur, Chhattisgarh
3. District Education Officer, District Rajnandgaon, Chhattisgarh
4. Block Panchayat Chhuikhadan Through Its Chief Executive Officer, District Rajnandgaon

---- Respondents

For Petitioners	:	Mr. Basant Dewangan, Advocate
For Respondent/State	:	Ms. Ishwari Ghritlahare, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

03/10/2019

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. The petitioners in this regard have made representations to the respondents.

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. 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 they so prefer.

4. 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