

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 7935 of 2019**

1. Anujay Vaishya D/o Shivprasad Vaishya Aged About 45 Years Working As Lecturer (L B) And Posted At Government Boys Higher Secondary School Nawagaon (Pendra) District Bilaspur Chhattisgarh.
2. Balram Vasudeo S/o Bishal Prasad Vasudeo Aged About 37 Years Working As Teacher (L B) And Posted At Government Girls Middle School Nawagaon (Pendra) District Bilaspur Chhattisgarh.
3. Smt. Rashmi Namdeo W/o Krishna Kumar Namdeo Aged About 48 Years Working As Teacher (L B) And Posted At Government Middle School Patgawan (Pendra) District Bilaspur Chhattisgarh.
4. Tulsee Ram Rathore S/o Kanhaiya Lal Rathour Aged About 40 Years Working As Assistant Teacher (L B) And Posted At Government Primary School Kitkapara Bacharwar (Pendra) District Bilaspur Chhattisgarh.
5. Ramesh Kumar Rathour S/o Babu Lal Rathour Aged About 56 Years Working As Assistant Teacher (L B) And Posted At Government Primary School Pateratola Bacharwar (Pendra) District Bilaspur Chhattisgarh.
6. Smt. Kamlesh Nagesh W/o Govind Prasad Nagesh Aged About 36 Years Working As Assistant Teacher (L B) And Posted At Government Primary School Pateratola Bacharwar (Pendra) District Bilaspur Chhattisgarh.
7. Kaushal Prasad Choudhri S/o Dayaram Choudhri Aged About 38 Years Working As Assistant Teacher (L B) And Posted At Government Primary School Sarkaripara (Pendra) District Bilaspur Chhattisgarh.
8. Ajay Kumar Kashyap S/o Anand Ram Kashyap Aged About 46 Years Working As Teacher (L B) And Posted At Government Middle School Adbhar (Pendra) District Bilaspur Chhattisgarh.

9. Smt. Shashi Tiwari W/o Jai Krishna Tiwari Aged About 46 Years Working As Teacher (L B) And Posted At Government Middle School Adbhar (Pendra) District Bilaspur Chhattisgarh.
10. Smt. Pramila Singh Shyam W/o Lamu Singh Shyam Aged About 49 Years Working As Teacher (L B) And Posted At Government Middle School Bariumrao (Pendra) District Bilaspur Chhattisgarh.
11. Smt. Ranjeeta Kori W/o Manoj Kumar Vaishy Aged About 37 Years Working As Assistant Teacher (L B) And Posted At Government Primary School Sarkhor (Pendra) District Bilaspur Chhattisgarh.
12. Pushkar Singh Meravi S/o Narayan Singh Meravi Aged About 44 Years Working As Lacturer (L B) And Posted At Government Boys Higher Secondary School Nawagaon (Pendra) District Bilaspur Chhattisgarh.
13. Ramgopal Namdeo S/o Murali Prasad Namdeo Aged About 40 Years Working As Teacher (L B) And Posted At Government Girls Middle School Bacharwar (Pendra) District Bilaspur Chhattisgarh.
14. Amit Kumar Sharma S/o Chandrika Prasad Sharma Aged About 42 Years Working As Lecturer (L B) And Posted At Government Boys Higher Secondary School Nawagaon (Pendra) District Bilaspur Chhattisgarh.
15. Tersu Ram Choudhari S/o Bipat Ram Choudhari Aged About 40 Years Working As Teacher (L B) And Posted At Government Middle School Latkoni Kala (Pendra) District Bilaspur Chhattisgarh.
16. Narendra Singh Meravi S/o Narayan Singh Meravi Aged About 49 Years Working As Lecturer (L B) And Posted At Government Higher Secondary School Kukusda Block Pathariya District Mungeli Chhattisgarh.
17. Smt. Manika Vaishy D/o Sarju Prasad Vaishy Aged About 37 Years Working As Teacher (L B) And Posted At Government Middle School Basantpur (Pendra) District Bilaspur Chhattisgarh.
18. Asha Singh D/o Narendra Kumar Singh Aged About 38 Years Working As Teacher (L B) And Posted At Government Middle School Kudkai (Pendra) District Bilaspur Chhattisgarh.

19. Smt. Sulakshna Tiwari W/o Vijay Tiwari Aged About 35 Years Working As Teacher (L B) And Posted At Government Primary Girls School Patgawan (Pendra) District Bilaspur Chhattisgarh.
20. Geeta Ram Sahu S/o Chandram Sahu Aged About 45 Years Working As Teacher (L B) And Posted At Government Girls Middle School Kudkai (Pendra) District Bilaspur Chhattisgarh.
21. Aditi Sharma D/o Nagarmal Sharma Aged About 37 Years Working As Teacher (L B) And Posted At Government Primary School Girari (Pendra) District Bilaspur Chhattisgarh.
22. Richa Saraf D/o Harnarayan Soni Aged About 37 Years Working As Assistant Teacher (L B) And Posted At Government Primary School Patgawan (Pendra) District Bilaspur Chhattisgarh.
23. Naseem Bano Ansari D/o Mohd. Yunus Ansari Aged About 54 Years Working As Teacher (L B) And Posted At Government Middle School Kudkai (Pendra) District Bilaspur Chhattisgarh.
24. Laxmishankar Gupta S/o Kastoor Chand Gupta Aged About 42 Years Working As Teacher (L B) And Posted At Government Middle School Bisheshara (Pendra) District Bilaspur Chhattisgarh.
25. Raj Kumar Sahu S/o Kushal Prasad Sahu Aged About 55 Years Working As Teacher (L B) And Posted At Government Middle School Kesla (Pendra) District Bilaspur Chhattisgarh.
26. Esha Rai D/o Anil Rai Aged About 32 Years Working As Assistant Teacher (L B) And Posted At Government Primary School Pateratola Bhadi (Pendra) District Bilaspur Chhattisgarh.

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Versus

1. State Of Chhattisgarh Through Secretary Department Of School Education Mahanadi Bhawan Mantralaya Atal Nagar New Raipur Distric Raipur Chhattisgarh.
2. District Education Officer, Bilaspur, District Bilaspur Chhattisgarh.
3. District Education Officer, Mungeli, District Mungeli Chhattisgarh.

4. Block Education Officer, Pendra, Bilaspur, District Bilaspur Chhattisgarh.
5. Principal, Government Higher Secondary School Nawagaon Pendra District Bilaspur Chhattisgarh.

---- Respondents

For Petitioners	:	Shri Ajay Shrivastava, Advocate
For Respondent/State	:	Shri Ayaz Naved, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

30/09/2018

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 are concerned. The Respondents shall be at liberty to take a decision independently.

**Sd/-
(P. Sam Koshy)
JUDGE**