

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 8123 of 2019

1. Chinta Ram Nayak, S/o Narsingh Nayak, Aged About 47 Years, Working As Lecturer (L.B.) At Government Higher Secondary School Makdi, Block Makdi, District : Kondagaon, Chhattisgarh
2. Budhram Gota, S/o Kolu Ram Gota Aged About 33 Years Working As Lecturer (L.B.) At Government Higher Secondary School Kerawahi, Block Makdi, District : Kondagaon, Chhattisgarh
3. Smt. Surekha Nag, W/o Rakesh Nag Aged About 33 Years Working As Lecturer (Panchayat) At Government High School Hadigaon, Block Makdi, District : Kondagaon, Chhattisgarh
4. Ramesh Kumar Pisda, S/o Bhikam Singh Pisda Aged About 42 Years Working As Lecturer (L.B.) At Government Higher Secondary School Katagaon, Block Makdi, District : Kondagaon, Chhattisgarh
5. Kamlesh Sahu, S/o Sohan Lal Sahu Aged About 38 Years Working As Lecturer (L.B.) At Government Higher Secondary School Makdi, Block Makdi, District : Kondagaon, Chhattisgarh
6. Ishwar Lal Mandavi, S/o Ramji Mandavi Aged About 43 Years Working As Teacher (L.B.) At Government Middle School Makdi, Block Makdi, District : Kondagaon, Chhattisgarh
7. Bhagwan Das Kosariya, S/o Chhotan Kosariya Aged About 43 Years Working As Teacher (L.B.) At Government Middle School Budra, Block Makdi, District Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh
8. Ramayan Patrey, S/o Ramdas Patrey Aged About 38 Years Working As Teacher (L.B.) At Government Middle School Lobha, Block Makdi, District : Kondagaon, Chhattisgarh
9. Ganesh Kumar Gawde, S/o Lekhan Gawde Aged About 37 Years Working As Teacher (L.B.) At Government Middle School Ingra, Block Makdi, District : Kondagaon, Chhattisgarh
10. Tumeshwari Borkar, D/o Sunhar Ram Borkar Aged About 39 Years Working As Teacher (L.B.) At Government Kaniya Ashram, Anatpur, Block Makdi, District : Kondagaon, Chhattisgarh

11. Rakesh Kumar Nag, S/o Naval Singh Nag Aged About 37 Years Working As Teacher (L.B.) At Government Upper Primary School Taraibeda, Block Makdi, District : Kondagaon, Chhattisgarh
12. Narrottam Ganware, S/o Jethoo Ram Gaware Aged About 47 Years Working As Teacher (L.B.) At Government Middle School Patelpara Dandwan, Block Makdi, District : Kondagaon, Chhattisgarh
13. Toman Lal Thakur, S/o Premu Ram Thakur Aged About 47 Years Working As Teacher (L.B.) At Government Middle School Pathari, Block Makdi, District : Kondagaon, Chhattisgarh
14. Balihar Singh Khare, S/o Hiranman Singh Khare Aged About 43 Years Working As Teacher (L.B.) At Government Middle School Bagbeda, Block Makdi, District : Kondagaon, Chhattisgarh
15. Kishor Kumar Chhadaiya, S/o Poona Ram Chhadaiya Aged About 42 Years Working As Teacher (L.B.) At Government Middle School Jadkonga, Block Makdi, District : Kondagaon, Chhattisgarh
16. Heeralal Markam, S/o Gagra Ram Markam Aged About 45 Years Working As Teacher (L.B.) At Government Middle School Ingra, Block Diharipara, District : Kondagaon, Chhattisgarh
17. Smt. Malti Nag, W/o M.R. Nag Aged About 50 Years Working As Teacher (L.B.) At Government Middle School Diharipara, Block Makdi, District : Kondagaon, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, District : Raipur, Chhattisgarh
2. Director, Directorate Of Public Instruction, Indravati Bhawan, Naya Raipur, District : Raipur, Chhattisgarh
3. District Education Officer, Kondagaon, District : Kondagaon, Chhattisgarh
4. Block Education Officer, Makdi, District Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh

---Respondents

For Petitioners	:	Mr. Govind Dewangan, Advocate
For State	:	Mr. Jitendra Pali, Dy. Advocate Gen.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04.10.2019

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-off with a direction to Respondents No. 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 No. 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**