

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 8244 of 2019**

1. Vasudev Prajapati, S/o Shri Rajaram Prajapati, Aged About 41 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Kochway, Gariyaband, District Gariyaband Chhattisgarh.
2. Smt. Rukhmani Sinha, W/o Shri Kunj Lal Sinha, Aged About 44 Years, Working As Lecture (L.B.) And Posted At Govt. Higher Sedondary School, Kochway, Gariyaband, District Gariyaband Chhattisgarh.
3. Roshan Lal Yadav, S/o Late Shri Purushottam Yadav, Aged About 43 Years, Working As Lecture (L.B.) And Posted At Govt. Higher Sedondary School Kochway, Gariyaband, District Gariyaband Chhattisgarh.

---- Petitioners**Versus**

1. The State Of Chhattisgarh, Through Secretary, Department Of School Education Mahanadi Bhawan, Mantralaya Atal Nagar New Raipur, District Raipur Chhattisgarh.
2. District Education Officer, Gariyaband, District - Gariyaband Chhattisgarh.
3. Block Education Officer, Dondilohara District Gariyaband Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Ajay Shrivastava, Advocate
For Respondents/State	:	Shri Amrito Das, Additional Advocate General

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****14/10/2019**

1. Heard.
2. 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.

3. 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. It is contended that the petitioners may be allowed to make a representation to the government.
4. Considering the nature of the dispute, the petitioners claims to parity of the benefits which is given to the other government employees, on the ground that they are discharging similar duties. This Court cannot direct the government to frame any policy. It is within the domain of the government to legislate and form policies. The representation, however, of the petitioners may be adjudicated on its own merits according to the policy of the government if existing and covering the field. The grievance of the petitioner that similarly placed persons discharging the same duty, who have been given the benefit the increment may also be considered on the principle of parity.
5. Accordingly, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge