

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8914 of 2019

Smt. Vijaya Dayal W/o Late Shri D.R. Dayal Aged About 62 Years
Lecturer E (L.B.), Government Girl's Higher Secondary School,
Darima, Ambikapur, District Surguja, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of School Education, Mantralaya, Mahanadi Bhawan, Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. District Education Officer Ambikapur, Thana- Ambikapur, Post Office- Ambikapur, District Surguja, Chhattisgarh
3. Chief Executive Officer, Zila Panchayat Ambikapur, District Surguja, Chhattisgarh
4. Principal Government Girl's Higher Secondary School, Darima, Ambikapur, District Surguja, Chhattisgarh
5. Joint Director Treasury Accounts, Pension Ambikapur, District Surguja, Chhattisgarh,

---Respondents

For petitioner – Shri Deepak Jain, Advocate.
For State-Shri Soumya Rai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

05/11/2019

1. 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 her 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 her as Shiksha Karmis is identical and similar to the government teachers and her 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 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 off with a direction to Respondent No. 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 No. 1 & 2 along with any fresh representation, if she 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/-

(Goutam Bhaduri)

JUDGE