

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP(S) No.9774 of 2019**

1. Kedarnath Deshmukh S/o Shri Jhumuk Lal Deshmukh Aged About 40 Years Working As Teacher (L.B.) And Posted At Ashram Shala Bail Block Bhairamgarh, District : Bijapur, Chhattisgarh
2. Sharad Kumar Sonwani, S/o Amrit Das Sonwani, Aged About 40 Years, Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Cherpai, Block Bijapur, District : Bijapur, Chhattisgarh

---- Petitioners**Versus**

1. State of Chhattisgarh Through Secretary, Department of School Education Mahanadi Bhawan, Mantralaya Atal Nagar New Raipur, District : Raipur, Chhattisgarh
2. District Education Officer Bijapur, District : Bijapur, Chhattisgarh
3. Block Education Officer Bijapur, District : Bijapur, Chhattisgarh
4. Block Education Officer Block Bhairamgarh, District : Bijapur, Chhattisgarh

----Respondents

For Petitioners	:	Mr. Ajay Shrivastava, Advocate
For Respondent/ State	:	Mr. Kapil Maini, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****27/11/2019**

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 are 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 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 petitioners 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/-
(Goutam Bhaduri)
Judge