

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9417 of 2019

1. Mahendra Singh Wakare S/o Shri Gajroop Singh Wakare Aged About 36 Years Presently Working On The Post Of Teacher(L.B.) Govt. Middle School Umjhar Block Odagi Distt Surajpur Chhattisgarh.
2. Dilip Kumar Singh S/o Shri Shankar Singh Aged About 32 Years Presently Working On The Post Of Teacher (L.B.) Govt. Middle School Telapat Block - Odagi Distt Surajpur Chhattisgarh.
3. Deepak Kumar Paikra S/o Shri Ravichand Paikra Aged About 37 Years Presently Working On The Post Of Teacher (L.B.) Govt. Middle School Ramgarh Block Odagi Distt. Surajpur Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary , Department Of School Education Mahanadi Bhawan , New Raipur , Distt. Raipur Chhattisgarh.
2. The Secretary Department Of Panchayat And Rural Development Mahanadi Bhawan New Raipur Distt Raipur Chhattisgarh.
3. The District Education Officer Surajpur Distt. - Surajpur Chhattisgarh.
4. Chief Executive Officer Zila Panchyat Surajpur Distt Surajpur Chhattisgarh.
5. Block Education Officer Odagi Distt. - Surajpur Distt Surajpur Chhattisgarh.

----Respondents

For petitioners – Shri A.N. Pandey, Advocate.
For State-Shri Amrito Das, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/11/2019

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 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