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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9680 of 2019**

1. Hemlal Kaushik S/o Late Sakharam Kaushik Aged About 40 Years Working As Lecturer (L.B.), Govt. Higher Secondary School, Gatapar Jungle, Block Khairagarh, District Rajnandgaon Chhattisgarh
2. Smt. Rani Yadav W/o Shri Bhupendra Kumar Yadav Aged About 36 Years Working As Lecturer Govt. Higher Secondary School, Badhaitola, Block Khairagarh, District Rajnandgaon Chhattisgarh
3. Kanhaiya Lal Sahu S/o Shri Manbodh Sahu Aged About 41 Years Working As Lecturer (L.B.), Govt. Higher Secondary School, Gaiadatola, Block Khairagarh, District Rajnandgaon Chhattisgarh
4. Girvar Banjare S/o Shri Mitthu Das Banjare Aged About 42 Years Working As Teacher (L.B.), Govt. Middle School, Dapka, Block Khairagarh, District Rajnandgaon Chhattisgarh
5. Mannulal Netam S/o Late Shri Multiyar Singh Netam Aged About 44 Years Working As Teacher (L.B.), Govt. Middle School, Sahaspur, Block Khairagarh, District Rajnandgaon Chhattisgarh
6. Smt. Dipti Singh W/o Shri Nitin Singh Sikarwar Aged About 38 Years Working As Lecturer (L.B.), Govt. Higher Secondary School, Badhaitola, Block Khairagarh, District Rajnandgaon Chhattisgarh
7. Bhupendra Kumar Yadav S/o Shri Gopal Prasad Yadav Aged About 40 Years Working As Lecturer (L.B.), Govt. High School, Dapka, Block Khairagarh, District Rajnandgaon Chhattisgarh
8. Gaukaran Prasad Verma S/o Shri Sewaram Verma Aged About 48 Years Working As Teacher (L.B.), Govt. Middle School, Keshla, Block Khairagarh, District Rajnandgaon Chhattisgarh
9. Devsharan Verma S/o Shri Gopiram Verma Aged About 43 Years Working As Teacher (L.B.), Primary School, Bhothi, Block Khairagarh, District Rajnandgaon Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh.,
2. The District Education Officer District Rajnandgaon Chhattisgarh.
3. The Chief Executive Officer Zila Panchayat, Rajnandgaon, District Rajnandgaon Chhattisgarh
4. The Joint Director Accounts, Treasury And Pension, Rajnandgaon, District Rajnandgaon Chhattisgarh.
5. The Block Education Officer Khairagarh, District Rajnandgaon Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Sanjeev Kumar Sahu, Advocate
For Respondent/ State	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26/11/2019

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

yasmin