

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9457 of 2019**

- Smt. Neelima Kaushik, W/o Santosh Kaushik, Aged About 39 Years, Presently Working As Lecturer (L. B.), At Govt. Higher Secondary School, Pipartarai, Block Kota, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya P. S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur Chhattisgarh.
2. Secretary Department Of Education, Mantralaya P. S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur Chhattisgarh.
3. Chief Executive Officer Zila Panchayat, Bilaspur, District Bilaspur Chhattisgarh.
4. District Education Officer, Bilaspur, District Bilaspur Chhattisgarh.
5. Chief Executive Officer Janpad Panchayat, Kota District Bilaspur Chhattisgarh.
6. Block Education Officer Block Kota, District Bilaspur Chhattisgarh.

---- Respondents

For Petitioner	:	Shri C.Jayant K. Rao, Advocate
For Respondents/State	:	Shri Soumya Rai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****20/11/2019**

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 petitioner 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 petitioner 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.
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 of with a direction to respondents 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. The petitioner shall file a fresh representation within a period of 3 weeks from today and if such representation is filed the same shall be decided. 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 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