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HIGH COURT OF CHHATTISGARH, BILASPUR**WP(S) No.9689 of 2019**

1. Vijay Bahadur Yadav S/o. Shri S.N. Yadav Aged About 49 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block- Batouli District-Surguja Chhattisgarh,
2. Rajesh Kumar Gupta S/o Late Ramsevak Gupta Aged About 46 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block-Batouli District-Surguja Chhattisgarh,
3. Janardan Singh S/o Shri Mahavir Singh Aged About 45 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block-Batouli District-Surguja Chhattisgarh,
4. Vijay Kumar Gupta S/o Shri Sanyashi Gupta Aged About 49 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block-Batouli District-Surguja Chhattisgarh,
5. Sukh Sagar Singh S/o Shri Bisun Singh Aged About 47 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block-Batouli District-Surguja Chhattisgarh,
6. Smt. Abha Ekka W/o. Shri Tej Kumar Beck Aged About 41 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block-Batouli District-Surguja Chhattisgarh,
7. Ashok Toppo S/o Shri Baldev Toppo Aged About 40 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block-Batouli District-Surguja Chhattisgarh,
8. Smt. Sushma Gupta W/o Shri Lav Kumar Gupta Aged About 37 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block-Batouli District-Surguja Chhattisgarh,
9. Smt. Shanta Toppo W/o. Shri Sunil Toppo Aged About 39 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block-Batouli District-Surguja Chhattisgarh,
10. Ku. Archana Deep Ekka D/o Shri Blacius Ekka Aged About 32 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block-Batouli District-Surguja Chhattisgarh,
11. Sangeet Madhuri Lakda W/o Ajay Lakda Aged About 36 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block-Batouli District-Surguja Chhattisgarh,
12. Dharendra Prasad Gupta S/o Late Ramji Gupta Aged About 48 Years Presently Working On The Post Of Teacher (L.B.) Government Higher Secondary School Bargidih Block-Lundra District-Surguja Chhattisgarh,
13. Smt. Neel Kushum Tirkey W/o. Benjamin Tirkey Aged About 31 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block-Lundra District-Surguja Chhattisgarh,

14. Rajnish Prasad Mishra S/o Late Luxman Prasad Mishra Aged About 39 Years Presently Working On The Post Of Lecturer (L.B.) Government Higher Secondary School Mangari Block-Batouli District-Surguja Chhattisgarh,
15. Babunath Singh S/o. Satwar Sai Thakur Aged About 43 Years Presently Working On The Post Of Lecturer (L.B.) Government Higher Secondary School Mangari Block-Batouli District-Surguja Chhattisgarh,
16. Dayaram Bhagat S/o. Sagar Ram Aged About 44 Years Presently Working On The Post Of Lecturer (L.B.) Government Higher Secondary School Mangari Block-Batouli District-Surguja Chhattisgarh,
17. Prashant Chaturvedi S/o Shri Madhusudan Chaturvedi Aged About 36 Years Presently Working On The Post Of Lecturer (L.B.) Government Higher Secondary School Mangari Block-Batouli District-Surguja Chhattisgarh,
18. Deepak Kumar Ekka S/o Alfes Ekka Aged About 39 Years Presently Working On The Post Of Lecturer (L.B.) Government Higher Secondary School Bataikela Block-Batouli District-Surguja Chhattisgarh,
19. Anup Ekka S/o Yemanul Ekka Aged About 39 Years Presently Working On The Post Of Lecturer (L.B.) Government Girls Higher Secondary School Mangari Block-Batouli District-Surguja Chhattisgarh,
20. Smt. Puspika Toppo W/o Shri Ashok Toppo Aged About 38 Years Presently Working On The Post Of Lecturer (L.B.) Government High School Bilaspur Block-Batouli District-Surguja Chhattisgarh,
21. Apolina Kujur W/o Vijay Tigga Aged About 50 Years Presently Working On The Post Of Lecturer (L.B.) Government Boys Higher Secondary School Batouli Block-Batouli District-Surguja Chhattisgarh,
22. Sukhchand Kumar S/o. Shri Barjan Ram Aged About 38 Years Presently Working On The Post Of Lecturer (L.B.) Government Higher Secondary School Bargidih Block-Lundra District-Surguja Chhattisgarh,
23. Kamleshwar Prasad Patel S/o Lochan Prasad Patel Aged About 44 Years Presently Working On The Post Of Teacher (L.B.) Government Middle School Kudopara Block-Batouli District-Surguja Chhattisgarh,

---- Petitioners

Versus

1. State of Chhattisgarh Through- The Secretary, Department Of School Education Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh,
2. The Secretary Department Of Panchayat And Rural Development Mahanadi Bhawan, New Raipur, District : Raipur, Chhattisgarh
3. The District Education Officer Ambikapur, District : Surguja (Ambikapur), Chhattisgarh
4. Chief Executive Officer Zila Panchayat Ambikapur, District Surguja Chhattisgarh,
5. Block Education Officer Batouli District Surguja Chhattisgarh,

6. Block Education Officer Lundra Block Lundra District-Surguja Chhattisgarh,

----Respondents

For Petitioners	:	Mr. A.N. Pandey, Advocate
For Respondent/ State	:	Mr. Kunal Das, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26/11/2019

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

yasmin