

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9904 of 2019

- Rupchand Singh, S/o Shri Ragho Singh, Aged About 46 Years, Lecturer (L.B.) Posted At Government Girls Higher Secondary School Kansabel, Tahsil Pathalgaon, District - Jashpur Chhattisgarh. R/o Village Kokiyakhar, Tahsil Pathalgaon, District Jashpur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
2. The Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh
3. Director, Directorate Of Public Education, Indrawati Bhawan, Naya Raipur Chhattisgarh
4. District Education Officer, Jashpur, District Jashpur, Chhattisgarh

---- Respondents

For Petitioner
For Respondent-State

Ms. Meena Shastri, Advocate
Shri Souma Rai, PL

Hon'ble Justice Shri Goutam Bhaduri

Order On Board

29/11/2019

1. The limited prayer which the petitioner has sought in this writ petition is for a direction to respondents to take a decision on the claim of the petitioner for grant of two advance increments on his obtaining D.Ed/B.Ed. Certificate 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 him as Shiksha Karmi 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 petitioner.
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 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. 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 along with any fresh representation, if he so prefers.
4. It is made clear that this Court has not expressed anything on merits of the case so far as the entitlement of the petitioner is concerned. The Respondents shall be at liberty to take a decision independently.

Sd/-
(**Goutam Bhaduri**)
Judge