

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 8416 of 2018

1. Ignatius Ekka S/o Zakrias Ekka, Aged About 36 Years, Working As Teacher (L.B.) At Govt. Middle School, Rajouti, Block Kunkuri, District Jashpur Chhattisgarh.
2. Smt. Anita Ekka W/o Ignatius Ekka, Aged About 35 Years, Presently Working As Assistant Teacher (L.B.) At Govt. Primary School Goriya, Block Kunkuri, District Jashpur Chhattisgarh.
3. Smt. Priyavanda Ekka W/o Animanand Ekka, Aged About 46 Years, Working As Lecturer (L.B.) At Govt. Higher Secondary School, Block Kunkuri, District Jashpur, Chhattisgarh.
4. Smt. Usha Tirkey W/o Anugrash Pratap Tirkey, Aged About 36 Years, Presently Working As Teacher (L.B.) At Govt. Middle School, Ginabahal, Block Kunkuri, District Jashpur, Chhattisgarh.
5. Mukut Anil Kumar Kindo S/o Lukas Kindo, Aged About 45 Years, Presently Working As Teacher (L.B.) At Govt. Middle School, Pakrikatchhar, Block Kunkuri, District Jashpur Chhattisgarh.
6. Smt. Vimla Kindo W/o Mukut Anil Kumar Kindo, Aged About 43 Years, Presently Working As Teacher (L.B.) At Govt. Middle School, Pakrikatchhar, Block Kunkuri, District Jashpur Chhattisgarh.
7. Ku. Asunta Minj D/o Shir Silbanus Minj, Aged About 38 Years, Presently Working As Assistant Teacher (L.B.) At Govt. Higher Secondary School Sendrimunda, Block Kunkuri, District Jashpur Chhattisgarh.
8. Smt. Anja Bara W/o Mandan Bara, Aged About 42 Years, Presently Working As Teacher (L.B.), Govt. Middle School Uparkapa, Block, Kunkuri, District Jashpur Chhattisgarh.
9. Ambeshwari Kuldeep W/o Deepak Bharti, Aged About 30 Years, Presently Working As Assistant Teacher (L.B.), Govt. Primary School Rajouti, Block Kunkuri, District Jashpur Chhattisgarh.

---Petitioners

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Atal Nagar Raipur, District Raipur Chhattisgarh.
2. Secretary, Department Of Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.
3. Director, Directorate Of Chhattisgarh, Public Instructions, Atal Nagar Raipur, District Raipur Chhattisgarh.

4. Chief Executive Officer, Zila Panchayat, Jashpur, District Jashpur Chhattisgarh.
5. District Education Officer, Jashpur, District Jashpur Chhattisgarh.
6. Chief Executive Officer, Janpad Panchayat, Kunkuri, District Jashpur, Chhattisgarh.
7. Block Education Officer, Kunkuri, District Jashpur, Chhattisgarh.

---Respondents

For petitioners	:	Shri C.J.K.Rao, Advocate.
For State	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/01/2019

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 is based on the fact that the nature of duties discharged by them as Shiksha Karmis is identical and similar to the government teachers and their services has 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. The petitioners in this regard has made representations to the respondents which are collectively marked in the petition as Annexure P-4.
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/-

(P. Sam Koshy)
JUDGE

Sumit