

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9864 of 2019

Smt. Sarita Sahu W/o Yashwant Sahu Aged About 48 Years Working As Teacher (L.B.) At Government Middle School Dhourabhata, Block Patan, District Durg, Chhattisgarh. **--- Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Director Directorate Of Public Instruction, Indravati Bhawan, Naya Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. District Education Officer District Durg, Chhattisgarh., District : Durg, Chhattisgarh
4. Block Education Officer Durg, District Durg, Chhattisgarh., District : Durg, Chhattisgarh **--- Respondents**

For the Petitioner	: Mr. Govind Dewangan, Advocate
For the Respondents	: Mr. Soumya Rai, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.11.2019

1. The limited prayer which the petitioner has 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 petitioner. The petitioner submits in this regard she has made representation to the respondents.

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 the 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 a similar benefit 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 1 & 2 along with any fresh representation, if she 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 petitioners are concerned. The respondents shall be at liberty to take a decision independently.

Sd/-
(GOUTAM BHADURI)
JUDGE