

HIGH COURT OF CHHATTISGARH AT BILASPURWPS No. 12 of 2019

1. Khan Waquaruzzaman Khan S/o Fasihuzzaman Khan, Aged About 38 Years, Working As Lecturer T. (L.B.) And Posted At Govt. Higher Secondary School Bargaon, Block Jashpur, District- Jashpur, Chhattisgarh.
2. Smt. Deepa Gupta W/o Shri Nand Kishore Gupta, Aged About 44 Years, Working As Lecturer T. (L.B.) And Posted At Govt. Higher Secondary School Patratoli, Block Jashpur, District- Jashpur, Chhattisgarh.
3. Ajeet Kumar Mishra S/o Karam Dayal Mishra, Aged About 40 Years, Working As Lecturer T. (L.B.) And Posted At Govt. Higher Secondary School Kharsota, Block Manora, District- Jashpur, Chhattisgarh.
4. Mithalesh Kumar Pathak S/o Awadesh Kumar Pathak, Aged About 43 Years, Working As Lecturer T. (L.B.) And Posted At Govt. Higher Secondary School Bargaon, Block Jashpur, District- Jashpur, Chhattisgarh.
5. Mukesh Kumar Pathak Awadesh Kumar Pathak, Aged About 38 Years, Working As Lecturer T. (L.B.) And Posted At Govt. Higher Secondary School Lokhandi, Block Jashpur, District- Jashpur, Chhattisgarh.
6. Pradeep Kumar Bhagat S/o Shri Parasnath Ram Bhagat, Aged About 29 Years, Working As Lecturer T. (L.B.) And Posted At Govt. Higher Secondary School Lokhandi, Block Jashpur, District- Jashpur, Chhattisgarh.
7. Smt. Anjana Pathak W/o Anoop Kumar Pathak, Aged About 46 Years, Working As Assistant Teacher (L.B.) And Posted At Govt. Primary School Sukbasupara, Kunkuri Block Kunkuri, District- Jashpur, Chhattisgarh.
8. Smt. Jyoti Tirkey W/o Shri Dilip Tirkey, Aged About 42 Years, Working As Lecturer T. (L.B.) And Posted At Govt. Higher Secondary School Bargaon, Block Jashpur, District- Jashpur, Chhattisgarh.
9. Tomar Singh Jangde S/o G. J. Jangde, Aged About 35 Years, Working As Lecturer E. (L.B.) And Posted At Govt. Higher Secondary School Uchchbhitthi, Block Sarangarh, District- Raigarh, Chhattisgarh.

---Petitioners

**Versus**

1. State Of Chhattisgarh, Through Secretary, Department Of Panchayat Mahanadi Bhawan, Mantralaya New Raipur, District- Raipur, Chhattisgarh.

2. Secretary, Department Of School Education, Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh.
3. Director, Directorate Of Chhattisgarh Public Instruction, 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, Block Kunkuri, District- Jashpur, Chhattisgarh.
8. Block Education Officer, Block Manora, District- Jashpur, Chhattisgarh.
9. Block Education Officer, Block Jashpur, District- Jashpur, Chhattisgarh.
10. District Education Officer, Raigarh, District- Raigarh, Chhattisgarh.
11. Chief Executive Officer, Zila Panchayat, Raigarh, District- Raigarh, Chhattisgarh.
12. Block Education Officer, Block Sarangarh, District- Raigarh, Chhattisgarh.

---Respondents

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| For petitioners | : | Shri U.P.Singh Sahu, Advocate.        |
| For State       | : | Ms. Sunita Jain, Government Advocate. |

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**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**08/01/2019**

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**