

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 9930 of 2019

1. Gowardhan Prasad, S/o Shyam Lal Aditya, Aged About 44 Years, Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Bharridand, Block Marwahi, Dist Bilaspur Chhattisgarh
2. Anusha Xalxo, S/o Shri H.Xalxo Aged About 35 Years Working As Lecturer (L.B.) And Posted At Govt. Higher Secondary School Bharridand Block Marwahi, District Bilaspur
3. P.V. Rajaj Shakhar, S/o Shri P.V.S.S.P.C. Rao. Aged About 42 Years Working As Teacher (L.B.) And Posted At Govt Middle School Girls Nawagaon, Pendra, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
4. Smt. Swarana Lata Singh W/o Khemraj Singh Aged About 47 Years Working As Teacher(L.B.)and Posted At Govt.Middle School Girls Nawagaon, Pendra,district Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
5. Sitaram Sahu S/o Shri Sharadh Prasad Sahu Aged About 42 Years Working As Assistant Teacher (L.B.) And Posted At Govt.Primary School Bagdi, Block Marwahi District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
6. Hiteshwari Baghel D/o Shri Abhishek Kumar Mandavi Aged About 35 Years Working Lecturer (L.B.)and Posted At Govt. High School Dukla Block Manpur District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh
7. Rajendra Kumar Churendra S/o Shri Gulab Chand Churendra Aged About 35 Years Working Lecturer (L.B.) And Posted At Govt. Higher Secondary School Hathara Block Manpur District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

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Versus

1. State Of Chhattisgarh Through, Secretary Department Of School Education Mahanadi Bhawan Mantralaya Atal Nagar New Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Director, Public Instruction Riapur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. District Education Officer Bilaspur District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
4. District Education Officer, Rajnandgaon District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondents

For Petitioners
For Respondent-State

Shri Ajay Shrivastava, Advocate
Ms. Akanksha Jain, Dy. GA

Hon'ble Justice Shri Goutam Bhaduri

Order On Board

29/11/2019

1. The limited prayer which the petitioners have sought in this writ petition is for a direction to respondents to take a decision on the claim of the petitioners for grant of two advance increments on their 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 petitioners is based on the fact that the nature of duties discharged by them 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 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 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 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 petitioners is concerned. The Respondents shall be at liberty to take a decision independently.

Sd/-
(Goutam Bhaduri)
Judge

Nirala