

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 9923 of 2019**

- Girija Shankar Patel S/o Shri Kartikeshwar Patel Aged About 48 Years Occupation, Shikshak Lb Shaskiya Uchcha Prathamik Shala Memra Nivasi Gram Memra Tahsil Pithoura, Jila Mahasamund Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, School Siksha Vibhag, Mantralaya Naya Raipur Chhattisgarh
2. Ayukt Adim Jati Tatha Anusuchit Jati Vikas Chhattisgarh, Indrawati Bhawan, Naya Raipur Chhattisgarh
3. Sanchalak Lok Shikshan Sanchalalay Khand 03 Indrawati Bhawan, Raipur, Jila Raipur Chhattisgarh
4. Jila Shiksha Adhikari Mahasamund, Jila Mahasamund Chhattisgarh
5. Vikas Khand Shiksha Adhikari Pithoura, Jila Mahasamund Chhattisgarh

---- Respondents

For Petitioner : Shri Abdul Wahab Khan, Advocate

For Respondents/State : Shri Soumya Rai, PL

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****29/11/2019**

1. Heard.
2. Learned counsel for the petitioner would submit that the issue involved in the present writ petition has already been considered and decided by this Court in WPS No.8345 of 2019, therefore, the same order may be passed in the present writ petition also.
3. This Court in WPS No.8345 of 2019 on 15.10.2019 has passed the following order:-

- “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 his 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 him as Shiksha Karmi is identical and similar to the government teachers and his 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 1 & 2 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.
 4. 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 they so prefer.
 5. 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.
 - 6.The Respondents shall be at liberty to take a decision independently.”
4. Learned State counsel has no objection.
 5. It is ordered accordingly. The ratio laid down in the case supra shall also govern the cause of lis in this case and will have the same effect and operation.
 6. With such observation, the writ petition stands disposed of.

Sd/-
Goutam Bhaduri
Judge