

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 10585 of 2019

1. Sanjay Kumar Tirkey S/o Shri Phool Kunwar Aged About 43 Years Presently Working On The Post Of Lecturer (L.B.) Govt. Boys Higher Secondary School Shankargarh Block Shankargarh Distt. - Balrampur Ramnujan Chhattisgarh
2. Smt. Premlata Tirkey W/o Sanjay Kumar Tirkey Aged About 42 Years Presently Working On The Post Of Teacher (L.B.) Govt. Middle School Chalgali Block Shankargarh Distt. Balrampur Ramnujan Chhattisgarh
3. Smt. Usha Ekka W/o Shri Umesh Prabhakar Aged About 35 Years Presently Working On The Post Of Teacher (L.B.) Govt. Higher Secondary School Sewari Block Rajpur , Distt. Balrampur Ramnujan Chhattisgarh

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Versus

1. State Of Chhattisgarh Through The Secretary Department Of School Education Mahanadi Bhawan , New Raipur , Distt Raipur Chhattisgarh.
2. The Secretary Department Of Panchayat And Rural Development Mahanadi Bhawan New Raipur , Distt Raipur Chhattisgarh.
3. The District Education Officer Balrampur Distt. Balrampur Ramnujan Chhattisgarh.
4. Chief Executive Officer Zila Panchayat Balrampur Distt. Balrampur Ramnujan Chhattisgarh.
5. Block Education Officer Shankargarh Distt. - Balrampur Ramnujan Chhattisgarh.
6. Block Education Officer Rajpur Distt. Balrampur Ramnujan Chhattisgarh.,

--- Respondents

For Petitioners	:	Mr. A.N.Pandey, Advocate
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For Respondent/State	:	Ms. Beenu Sharma, PL
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/12/2019

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.5736 of 2019, therefore, the same order may be passed in the present writ petition also.

3. This Court in WPS No.5736 of 2019 on 05.08.2019 has passed the following order:-

“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 her as Shiksha Karmis are identical and similar to the government teachers and her 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. 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 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 petitioner is concerned. 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