

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 429 of 2020

Smt. Usha Gupta W/o Shri Ramsevak Gupta Aged About 50 Years R/o Ward No.2, Ramanujganj, Police Station And Tahsil Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh. **--- Petitioner**

Versus

1. State of Chhattisgarh Through Secretary, Department of Panchayat Mahanadi Bhawan, Mantralaya New Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Secretary Department of School Education Mahanadi Bhawan, Mantralaya New Raipur, District Raipur, Chhattisgarh.
3. Chief Executive Officer Jila Panchayat, Balrampur, District Balrampur-Ramanujganj, Chhattisgarh.
4. District Education Officer Balrampur, District Balrampur-Ramanujganj, Chhattisgarh.
5. Principal Kasturba Gandhi Balika Awasiya School, Ramanujganj, Block Ramchandrapur, District Balrampur-Ramanujganj, Chhattisgarh.

--- Respondents

For the Petitioner : Mr. Pawan Kumar Kashyap, Advocate.

For the State/Respondents : Mrs. Richa Shukla, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.01.2020

1. Petitioner was initially appointed as Shiksha Karmi Grade III in the year 1998 and prior to her appointment, she had acquired the qualification of D.Ed., examination on her own expenses. The grievance of the petitioner is that there is Circular of the State Government whereby the teachers of the education department are entitled for two advance increments on account of passing of B.Ed/D.Ed., on his/her own expenses, but the petitioner, who is similarly situated person, is deprived the same.
2. Learned counsel for the petitioner submits that the grievance of the

petitioner stands squarely covered by the decision of the Supreme Court in case of ***Asha Saxenas Vs. State of MP & Ors. 2009 (3) MPJR (SC) 59.***

3. The issue pertains to grant of two advance increments on successful completion of B.Ed/D.Ed., course before appointment on own expenses.
4. On verification, counsel for the State submits that the matter can be disposed of for consideration of the petitioner's case in the light of decision of the Supreme Court in case of *Asha Saxena (Supra)*.
5. Given the facts and circumstances of the case and the submissions made by the counsel for either side, the present petition stands disposed of. The respondents are directed to consider the case of the petitioner for grant of two advance increments as per circulars prevailing in the State Government after verification of the facts pleaded by the petitioner, and in case if it is found that the petitioner is similarly placed, appropriate benefit be provided to him forthwith. Let this exercise be done within a period of 90 days from the date of production of certified copy of this order.
5. Accordingly, the writ petition stands allowed and disposed of.

Sd/-

**(GOUTAM BHADURI)
JUDGE**