

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 441 of 2020

- Ram Niwas Sahu S/o Ganpat Ram Sahu Aged About 40 Years Working As Teacher (L.B.) At Government TWD Middle School Shivpur, B.E.O. Ramnujnagar, District : Surajpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, Mantralaya, Mahanadi Bhawan Atal Nagar, New Raipur, District : Raipur, Chhattisgarh
2. The Secretary Of Aadim Jati And Anushuchit Jati Vikash Vibhag Mahanadi Bhawan, New Raipur, District : Raipur, Chhattisgarh
3. Director Directorate Of Public Instructions, Indrawati Bhawan, Atal Nagar, Post Office And Police Station Atal Nagar, New Raipur, District : Raipur, Chhattisgarh
4. Joint Director (Treasury, Account And Pension), Sarguja Division, District Sarguja, Chhattisgarh
5. District Education Officer Surajpur, District : Surajpur, Chhattisgarh
6. Block Education Officer Ramanujnagar, District : Surajpur, Chhattisgarh

--- Respondents

For Petitioner : Mr. K.L. Sahu, Advocate

For Respondent/State : Ms. Beenu Sharma, PL

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20.01.2020

1. Heard.
2. 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 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.

3. The claim of the petitioner is based on the fact that the nature of duties discharged by them as Shiksha Karmis 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 petitioner.
4. 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 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 petitioners are concerned. The Respondents shall be at liberty to take a decision independently.

Sd/-
Goutam Bhaduri
Judge