

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 622 of 2020**

1. Manharan Lal Yadav S/o Shri Neel Singh Yadav Aged About 45 Years Presently Working As Teacher (T. L. B.) At Government Middle School, Kosamabuda, Block Chhura, District Gariaband Chhattisgarh
2. Sanjiw Kumar Nirala S/o Shri Nand Ram Nirala, Aged About Khusarupali Years, Presently Working As Teacher (T. L. B.) At Government Middle School, Thuhapani, Block Chhura, District - Gariaband Chhattisgarh.
3. Dhanwan Verma S/o Shri Dashrath Verma Aged About 46 Years Presently Working As Teacher (T. L. B.) At Government Middle School, Nawapara (B), Block Chhura, District Gariaband Chhattisgarh
4. Mitesh Soni S/o Shri Kanhaiya Lal Soni, Aged About 33 Years Presently Working As Teacher (T. L. B.) At Government Middle School, Ghodhara, Block Chhura, District - Gariaband Chhattisgarh
5. Chandan Kumar Kurre S/o Shri Taran Das Kurre Aged About 39 Years Presently Working As Assistant Teacher (T. L. B.) At Government Primary School, Beldih, Block Chhura, District - Gariaband Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya Mahanadi Bhawan, Atal Nagar Raipur, District - Raipur Chhattisgarh
2. Secretary, Department Of Education , Mantralaya Mahanadi Bhawan, Atal Nagar Raipur District - Raipur Chhattisgarh
3. Chief Executive Officer, Zila Panchayat, Gariyaband, District - Gariyaband Chhattisgarh
4. District Education Officer, Gariyaband, District Gariyaband Chhattisgarh
5. Block Education Officer, Chhura, District - Gariyaband Chhattisgarh

---- Respondents

For Petitioners : Mr. C.Jayant K. Rao, Advocate

For State/Respondents : Ms. Richa Shukla, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****28.01.2020**

1. The limited prayer which the petitioners have 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.
2. The claim of the petitioners 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 petitioners. The petitioners in this regard have made representations to the respondents.
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 1 & 2 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 petitioner to bring the order of this Court to the notice of respondents 1 & 2 along with any fresh representation, if they 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 petitioners are concerned. The Respondents shall be at liberty to take a decision independently.

**Sd/-
(Goutam Bhaduri)
Judge**

jasmin