

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3841 of 2020**

Smt. Sangeeta Jain, W/o. Sanjeev Kumar Jain, Aged About 45 Years, Upper Division Teacher, Kokpur, Block Dongargaon, District Rajnandgaon, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of School Education, Mahanadi Mantralaya, Atal Nagar, Post Office And Police Station Atal Nagar, District Raipur, Chhattisgarh.
2. Director, Directorate Of Public Instructions, Indrawati Bhawan, Atal Nagar, Post Office And Police Station Atal Nagar, District Raipur, Chhattisgarh
3. District Education Officer District Rajnandgaon, Chhattisgarh
4. Joint Director, Public Instructions, Education Division, Durg, District Durg, Chhattisgarh
5. Block Education Officer, Dongargaon District Rajnandgaon, Chhattisgarh
6. Principal, Government Higher Secondary School, Kokpur, Block Dongargaon, District Rajnandgaon, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Vivek Kumar Shrivastava, Advocate
For State	:	Mr. Sudeep Agrawal, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

ORDER

01.10.2020

Heard

1. Learned counsel for the petitioner submits that vide order dated 4.7.2017, in the case of one Tilak Ram Patel, UDT, the Govt. has passed specific order that who have been appointed on compassionate basis will not be deprived of two advance increments even if they have been appointed after 16.6.1993. He submits that the petitioner's case is similarly situated as Tilak Ram Patel.

2. After having gone through the order dated 4.7.2017, it is found that in the case of one Tilak Ram who was appointed on 27.9.1994 on compassionate basis has been held entitled for two advance increments even though he was appointed after 16.6.1993, on the premise that the earlier circular for grant of two advance increments to those who have obtained D.Ed. at their own expenses would not apply in cases of compassionate appointment. Therefore, in these circumstances, the case of the petitioner deserves consideration.
3. It is stated that in the instant case, the petitioner was appointed on compassionate ground on 08.07.1994 and thereafter within 3 years, she obtained the B.Ed. Degree; therefore, on wrong assertion and fact, the order dated 22.04.2019 (Annexure P-1) has been passed.
4. Considering the fact that the issue has already been settled, the order dated 22.04.2019 stands quashed. The petition is accordingly finally disposed off with a direction to the respondent authorities to examine the petitioner's case afresh on parity and grant similar benefit to the petitioner as has been extended to one Tilak Ram Patel, within a period of 4 months.

Aks

Sd/-
Goutam Bhaduri
Judge