

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 3050 of 2021

Bharat Kumar Gupta S/o Late Shri Banchha Nidhi Gupta Aged About 54 Years Working As Lecturer (L.B.) Biology, Posted At Govt. Higher Secondary School, Kondpali, Block Pussore, District Raigarh Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department Mahanadi Bhawan, Naya Mantralaya, Atal Nagar Nawa Raipur Chhattisgarh.
2. District Education Officer, Raigarh, District Raigarh Chhattisgarh.
3. Block Education Officer Block Pussore, District Raigarh Chhattisgarh.
4. Chief Executive Officer Jila Panchayat Raigarh District Raigarh Chhattisgarh.

---Respondents

For Petitioner	:	Mr. Dhani Ram Patel, Advocate
For State	:	Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29/06/2021

1. The grievance of the petitioner seems to be the inaction on the part of the respondents in granting the one extra increment that the petitioner would be entitled for, for undergoing the family planning operation in terms of the circular of the State Government in this regard dated 02.11.2011.
2. The counsel for the petitioner submits that the respondent No.4 has already recommended for grant of the said benefit, however since the petitioner's services stood absorbed to the Education Department and now it has to be decided and implemented by the

respondents No.2 & 3. The petitioner further submits that similarly placed persons in the Tribal Department, who have subsequently been absorbed to the Education Department are already availing the benefit of said extra one increment.

3. The further contention of the petitioner is that he has already preferred a representation in this regard to the respondents No.2 to 4, which is pending consideration till date. Let the respondents No.2 to 4 be directed to take a decision in accordance with the circular governing the field and also keeping in mind the similar benefits being granted to other similarly placed persons.
4. Given the said submissions without expressing any opinion on the merits on the entitlement part, the writ petition at this juncture stands disposed of directing the respondents No.2 to 4 to take an appropriate decision in ensuring that the claim of the petitioner for grant of one extra increment in terms of the circular dated 02.11.2011 on account of the petitioner's wife having undergone family planning operation. Let a decision in this regard be taken at the earliest preferably within a period of 90 days from the date of receipt of the copy of this order.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge