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Date: 18/10/2025

Rashmi Mishra Vs State Of Chhattisgarh And Ors

Writ Petition (S) No. 6465 Of 2019

Court: Chhattisgarh High Court

Date of Decision: Sept. 3, 2019

Hon'ble Judges: P. Sam Koshy, J

Bench: Single Bench

Advocate: Anil Tripathi, Chandresh Shrivastava

Judgement

P. Sam Koshy, J

1. 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

petitioner for grant of two advance increments on his 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 petitioner is based on the fact that the nature of duties discharged by him as Shiksha Karmi is identical and similar to the

government teachers and his 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.

3. 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.

4. 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 petitioner is concerned. The

Respondents shall be at liberty to take a decision independently.