
Pushpa Sahu And Ors Vs State Of Chhattisgarh And Ors

Writ Petition (S) No. 6436 Of 2018

Court: Chhattisgarh High Court

Date of Decision: Sept. 27, 2018

Hon'ble Judges: P. Sam Koshy, J

Bench: Single Bench

Advocate: Govind Dewangan, Adhiraj Surana

Final Decision: Disposed Of

Judgement

P. Sam Koshy, J

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

which are collectively marked in the petition as Annexure P-4.

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 petitioners 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.