

6  
Single Bench

1

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (S) No. 5913 OF 2011.

PETITIONER

Santram Dongare,  
Son of Pardeshi Ram Dongare,  
aged about 43 years, Upper  
Division Teacher, Govt. Middle  
School Hathadandu, Block  
Nawagarh, Distt. Durg (C.G.)

VERSUS

RESPONDENTS

PR No. 6261/11  
27/09/11  
P.R. No. ....  
Presented by Shri. M.H. Baig  
dated. 27/09/11

1. State of Chhattisgarh,  
Through : The Secretary,  
Department of School  
Education, D.K.S. Bhawan,  
Raipur (C. G.)
2. District Education Officer,  
District Education Office Durg,  
District Durg (C. G.)
3. Additional District Education  
Officer, Education District  
Bemetara, District Durg (C.G.)
4. Block Education Officer,  
Block Nawagarh,  
District Durg (C.G.)



7

2

**WRIT PETITION UNDER ARTICLE 226 OF THE**  
**CONSTITUTION OF INDIA**



XI-HC-78

38

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.(S) No. 59/3/2011 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p><b><u>SB : Hon'ble Shri Manindra Mohan Shrivastava, J.</u></b> <b><u>30-09-2011</u></b></p> <p>Shri Mirza Hafeez Baig, counsel for the petitioner.</p> <p>Shri Praveen Das, Deputy Government Advocate for the State/respondents on advance copy.</p> <p>Heard.</p> <p>Learned counsel appearing for the petitioner submits that the petitioner is entitled to benefit of two advance increments on account of he having passed B.T.I. examination before appointment at his own cost. It is submitted that the issue involved in the present petition is no longer <i>res integra</i> and the same has been finally decided by the Hon'ble Supreme Court in the case of <b><i>Asha Saxena vs. State of M.P. &amp; Ors., 2009 (III) MPJR (SC) 59</i></b>. It is further submitted that this Court has also taken a similar view in his order dated 06-02-2009 passed in W.P.(S)No.6257 of 2008. Learned counsel for the petitioner further draws attention of this Court to order dated 29-04-2010 passed in Writ Appeal No.124 of 2009, wherein relying upon the judgment of the Supreme Court in the case of Asha Saxena (supra) and the order passed by this Court in another Writ Appeal No.87/2009, directions have been issued for consideration of the case for grant of two advance increments as per circular dated 21-09-1974 issued by the State of Madhya Pradesh, after verification of the facts pleaded in the petition.</p> <p>Learned counsel for the respondents submits that now the State Government had issued a circular on 05-01-2011 and the case of the petitioner would be examined in the light of the decision of the State Government.</p>	



39

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p>In view of the statement made above, this petition is finally disposed of with a direction to the respondent authorities to consider and decide the claim of the petitioner for grant of two advance increments in view of the law laid down as also in view of circular, which has been issued by the State Government on 05-01-2011, after verification of the facts pleaded in the petition within a period of three months from the date of receipt of a copy of this order.</p>	
	<p style="text-align: right;">Sd/- <b>Manindra Mohan Shrivastava</b> Judge</p>	
Tumane		