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SINGLE BENCH

**IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT  
BILASPUR**

**W.P. (S) NO. 7132 OF 2011**

**PETITIONER**

**:-**

Sisirkana Bhattacharya, aged about 46 years, D/o Shri Manas Bhattacharya, occupation - Assistant Professor, Institute of Advanced Studies in Education Bilaspur, (IASE), Govt. College of Education Bilaspur (C.G.)

P.R. No. 7494/11-  
Presented by Shri Ramesh Prasad  
dated 22/11/11

**VERSUS**

**RESPONDENTS**

**:-**

1. State of Chhattisgarh, through Secretary, School Education Department, D.K.S. Bhavan Mantralaya, Raipur (C.G.).
2. Director, Public Instructions (D.P.I.) Pensionbada, Raipur (C.G.).
3. District Education Officer, Bilaspur (C.G.).
4. Joint Director, Account, Treasury and Pension, Bilaspur (C.G.).



**WRIT PETITION UNDER ARTICLE 226 OF THE  
CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN  
THE NATURE OF MANDAMUS ORDER OR DIRECTION IN  
THE LIKE NATURE.**



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**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**SB : HON'BLE MR. JUSTICE PRITINKER DIWAKER**

**W.P.(S).NO. 7132/2011**

**PETITIONER**

Sisirkana Bhattacharya

versus

**RESPONDENTS**

State of Chhattisgarh &  
Others

Shri Rahul Birtharey, counsel for the petitioner.  
Shri Yashwant Singh Thakur, Dy. AG. for the State.

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

**ORDER  
(30.11.2011)**

Counsel for the petitioner submits that the petitioner is entitled to benefit of two advance increments on account of she having passed B.Ed. examination before her appointment at her own cost. It is submitted that the issue involved in the present petition is no longer *res integra* and the same has been finally decided by the Hon'ble Supreme Court in the case of **Asha Saxena Vs. State of M.P. & Ors. 2009 (III)MPJR (SC) 59.**

It is further submitted that this Court has also taken a similar view in its order dated 6.2.2009 passed in W.P.(S) No. 6257/2008. Counsel for the petitioners further submits that the order dated 29.4.2010 passed in Writ Appeal NO. 124/2009, 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 21.9.1974 issued by the State of Madhya Pradesh, after verification of the facts pleaded in the petition.

Counsel for the State submits that case of the petitioner would also be considered on the same lines.

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In view of above, the petition is disposed of with a direction to the respondent authorities to decide the claim of the petitioner for grant of two advance increments as per circular dated 21.9.1974 issued by the State of Madhya Pradesh after verification of the facts pleaded in the petition within a period of four months from today.

It is made clear that this Court has not expressed any opinion on merits of the case and the authority concerned would be at liberty to decide the same strictly in accordance with law.

Sd/-  
Pritinker Diwaker  
Judge