

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

(CHHATTISGARH)

WRIT PETITION (S) NO. 1886 /2012

PETITIONER

: Shiv Kumar Kaushik

S/o Shri Balaram Kaushik

Age 47 years, By Occupation

Head Master, at Govt. Primary

School – Chakrakund, Block –

Takhatpur, Distt. Bilaspur (C.G.)

1886/12
Presented by Shri. G.K. Rao
Dated 2/5/12

VERSUS

RESPONDENTS

: 1. State of Chhattisgarh

Through: - The Secretary

School Education Department

Secretariat, D.K.S. Bhawan,

Raipur (C.G.)

2. District Education Officer

Bilaspur, Distt. Bilaspur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF CONSTITUTION OF INDIA



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HIGH COURT OF CHHATTISGARH AT BILASPUR
WRIT PETITION (S) No. 1886 of 2012

PETITIONER : Shiv Kumar Kaushik.

VERSUS

RESPONDENTS : State of Chhattisgarh & Another.

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

SB: Hon'ble Shri Satish K. Agnihotri, J.

Present: Shri Parag Kotecha, Advocate for the petitioner.
Shri Y.S.Thakur, Deputy Advocate General for the State.

ORDER

(Passed on 11th day of May, 2012)

1. By this petition, the petitioner seeks a direction to the respondents to pay two advance increments as the petitioner has obtained D.Ed certificate on his own expenses, after entering into service.
2. Learned counsel appearing for the petitioner submits that the issue involved in the present case is no longer *res integra* as the same has been considered and decided by the Supreme Court in *Asha Saxena v. State of M.P. & Ors.*¹ as well as by this Court in *Yashwant Kumar Bharadwaj v. Municipal Corporation, Durg and another*² and *Gopesh Kumar Verma v. The State Govt. of Chhattisgarh and another*³.
3. Learned counsel further submits that the instant petition is squarely covered by the decisions (supra) as aforestated. Thus, the petitioner may be permitted to make a representation to decide his case in the light of aforestated decisions, subject to verification of the facts.
4. Learned counsel appearing for the State submits that in the event, the petitioner makes a representation, the same will be considered and decided, in accordance with law and in the light of the decisions of the Supreme Court in *Asha Saxena* (supra) as well as this Court in *Yashwant Kumar Bharadwaj* (supra) and *Gopesh Kumar Verma* (supra), within a period of eight weeks from the date of receipt of the representations.
5. In view of foregoing, according to the learned counsel appearing for the petitioner, nothing survives in this petition for adjudication.
6. Accordingly, the writ petition is disposed of.

Amit

Sd/-
Satish K. Agnihotri
Judge

¹ 2009 (III) MPJR (SC) 59

² 2006 (II) MPJR-CG 96

³ WP (S) No.4130 of 2005