



NAFR

HIGH COURT of CHHATTISGARH, BILASPUR

WPS No. 1408 of 2023

Dr. Preeti Tanna Taunk D/o Rajnikant Khanna Aged About 44 Years
Presently Residing At House No. 17, Ward No. 15, Bhatiya Colony,
Pusour, District : Raigarh, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Higher Education Department, Atal Nagar, Mantralaya, Nawa Raipur, District : Raipur, Chhattisgarh
2. The Director Higher Education Department, Block 30, 2nd And 3rd Floor, Indrawati Bhawan, Atal Nagar, Mantralaya, Nawa Raipur, District : Raipur, Chhattisgarh
3. The Principal Government Paluram Dhanania Commerce And Arts College, Kotra Road By-Pass, Opposite Kotra Road Police Station, District : Raigarh, Chhattisgarh
4. Shaheed Nand Kumar Patel University Through Its Registrar, Gurhumaria, Odisha Road, District : Raigarh, Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Hari Agrawal, Advocate
For State/Res. No.1 to 3	:	Mr. Anshuman Shrivastava, Panel Lawyer
For Res. No.4	:	Mr. Ashish Shrivastava, Senior Advocate with Mr. Rohitashva Singh, Advocate

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order On Board

17/02/2023

1. Grievance of the petitioner is of non-granting the benefit of five advance increments on account of her holding higher qualification/Ph. D. degree.
2. Learned counsel for the petitioner would submit that the



petitioner was appointed on the post of Assistant Professor (Commerce) vide order dated 20.09.2017. Before entering into service, petitioner has already completed her Ph.D. on 07.03.2014. After her appointment, she submitted representation before respondent No.2 through respondent No.3 for grant of five non-compounded advance increments in terms of Regulation 19 under “UGC Regulations on Minimum Qualifications for Appointment of Teachers and Others Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education, 2018”. Petitioner submitted representation on 06.04.2022 and thereafter on 25.05.2022. However, even after lapse of 8 months, till date, respondents have not considered and decided the representation. At this stage, grievance of the petitioner would be redressed if a direction is issued to respondent No.2 to consider and decide representation at the earliest within specified time. He also submits that as per his information, respondent No.2 has already constituted a Committee for considering the claim of petitioner and like Professors, but till date, Committee has not taken any decision.

3. Learned counsel for the State submits that as the petitioner is only seeking a direction to respondent No.2 for deciding her pending representation and not pressing the petition on merits, he is having no objection.
4. Learned senior counsel appearing for respondent No.4 would





submit that decision is to be taken by respondent No.2.

5. I have heard learned counsel for the parties and perused the documents annexed along with writ petition.

6. Considering the nature of grievance raised in this writ petition of non-grant of five non-compounded advance increments to the petitioner pursuant to her holding qualification of Ph.D. and that petitioner has also submitted representation before the Competent Authority i.e. respondent No.2 which is pending consideration till date, without commenting anything on merits of claim of the petitioner, at this stage, this writ petition is disposed of directing respondent No.2 take decision on the representations submitted by the petitioner expeditiously, preferably within a period of 4 months from the date of receipt of copy of order passed by this Court.

7. Certified copy as per rules.

Sd/-

(Parth Prateem Sahu)

Judge

