

15.12.2020

WPA 2955 of 2019

Court No. 02
Item No. SL - 33
snandy

(DISPOSED OF)

Gautam Hansda
Vs.

The State of West Bengal & Ors.

Mr. Ekramul Bari, Advocate
Mrs. Tanuja Basak, Advocate

.....for the Petitioner

Mr. Tapan Kumar Mukherjee, Senior Advocate
Mr. Ranjan Saha, Advocate

.....for the Respondents

Heard the learned Advocates for the parties.

This writ-petition has been filed challenging the impugned order dated March 14, 2019 being Annexure P-4 to the writ-petition rejecting the claim of post-graduate scale of pay for his enhanced qualification. The petitioner contends that while passing the aforesaid impugned order, the judgment of this Court in the case of **Samir Kumar Saha Vs. State of West Bengal** reported in **(2013) 2 CHN 565** has not been taken into consideration by the respondent authority and the petitioner also contends that there is a very recent judgment supporting the contention of the petitioner.

After hearing the learned Advocates for the parties and considering their submissions the aforesaid impugned order being annexure P-4, is set aside with the direction upon the respondent no. 4/ADI/DI to consider afresh the case of the petitioner and pass a reasoned and speaking order in accordance with law and after taking into consideration the relevant notification and judgment referred above and also any other judgment which the petitioner wants to rely at the time of hearing within eight weeks from the date of communication of this order and communicate his decision to the petitioner within two weeks thereafter.

Since the writ-petition is disposed of without calling for any affidavit by the respondents, the allegations contained therein deemed not to have been admitted by them.

With the aforesaid directions the writ-petition being **WPA 2955 of 2019** is disposed of.

(Md. Nizamuddin, J.)