

18.12.2020.
Item no. 5.
Court No.13
ap

**W.P.A. No. 4749 of 2020
(Through Video Conference)**

**Saharul Islam
Versus
The State of West Bengal & Ors.**

Mr. Shamim-ul Bari,
Ms. Molly Saha.

...For the petitioner.

Mr. Bhaskar Prasad Vaisya, AGP,
Mr. Suman Dey.

...For the State.

The petitioner joined the Netra High Madrasah (HS) on 21st August, 2010 as Assistant Teacher under the Honours Category while he was pursuing his M.Sc. Course.

The Madrasah permitted the petitioner to appear in the Part-II examination on 1st October, 2011 and he succeeded in completing his M.Sc. Course.

The petitioner's case for post graduate scale of pay was forwarded by the Madrasah to the District Inspector of Schools (SE), South 24 Parganas which has not been considered till date.

The petitioner relies upon cases of four teachers mentioned in Annexure – P/7 (collectively) being pages 29 to 32A of the writ application of similarly circumstanced teachers, who were allowed higher scale of pay, after having completed Part-II examination in post graduate course, after having

passed Part-I examination before joining the School/Madrasah. The said teachers were allowed post graduate scale of pay by the DI of Schools.

In those circumstances, the District Inspector of Schools (SE), South 24 Parganas shall consider the writ petition itself as the petitioner's representation and dispose of the same in accordance with law within a period of two months from the date of communication of this order.

The writ petitioner and/or his legal representative shall be heard by the District Inspector of Schools (SE), South 24 Parganas. The DI shall pass a reasoned order and communicate the same within a period of seven days thereof.

With the aforesaid observations, the instant writ application shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(Rajasekhar Mantha, J.)