

23-09-2021
ct no. 05
Sl. 04
Sayandeep

W.P.A. 2745 of 2020

Shyamal Kumar Halder

-Versus-

State of West Bengal & Ors.

(Via Video Conference)

Mr. Sakti Pada Jana

Ms. Ujani Pal (Samanta)

..... for the petitioner

Mr. Pinaki Dhole

Ms. Ananya Neogi

..... for the State

Writ petitioner is an assistant teacher in science group and was initially appointed on 7th September, 2005 in Gangadharpur K.K. High School, South 24 Parganas. Writ petitioner during his tenure as assistant teacher in Gangadharpur K.K. High School enhanced his qualification of M.Sc. in Physics through distance mode of education from Vidyasagar University and obtained higher qualification on 25th June, 2009. Subsequently, the writ petitioner joined as assistant teacher in Behala High School (H.S.) with effect from 1st April, 2010 but the grievance of the writ petitioner is in spite of possessing post graduate qualification, his pay was fixed in Hons. graduate scale of pay. Writ petitioner approached the concerned authority of Behala High School (H.S) for sanctioning of post graduate scale of pay and the authority of Behala High School

forwarded all papers to the office of District Inspector of Schools(SE), Kolkata vide letter dated 6th July, 2019, page-44 of the writ petition. The grievance of the writ petitioner is that in spite of forwarding all the relevant documents along with letter of the present school authority, the issue is pending before the D.I. for consideration on entitlement of the writ petitioner to receive post graduate scale of pay.

Mr. Pinaki Dhole, learned advocate, appears on behalf of the State respondents and submits that if direction is given upon the District Inspector of Schools(SE), Kolkata, the claim of the writ petitioner for sanction of post graduate scale of pay can be considered in accordance with law.

In view of the submissions made by the parties to this writ petition, the District Inspector of Schools(SE), Kolkata, respondent No. 3 is directed to take decision on the claim of the writ petitioner for sanction of post graduate scale of pay within a period of 12 weeks from the date of communication of this order after granting opportunity of hearing to the writ petitioner and the authority of Behala High School(H.S.). The order which is to be passed by the respondent No. 3 shall be communicated to the writ petitioner within 2 weeks thereafter.

Affidavit-of-service filed in Court be kept with the record.

With the above directions, the writ petition stands disposed of.

There shall be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon compliance with the necessary formalities.

(Saugata Bhattacharyya, J.)