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23-09-2019
Court No. 5
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WPA 2747 of 2020

Partha Sarathi Gayen
-Vs-
The State of West Bengal & Ors.

(via video conference)

Mr. Sakti Pada Jana
Mrs. Ujani Pal (Samanta)
...for the petitioner
Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

The writ petitioner is an Assistant Teacher in a Government aided recognized secondary school who was appointed with effect from 6th October, 1999. At the time of appointment of the writ petitioner, considering the educational qualification of the writ petitioner, B.A. (Hons) in English, honours graduate scale was sanctioned by the concerned respondent authority. Subsequently, the writ petitioner enhanced his qualification by acquiring MA degree in the relevant subject and the result was published on 19th March, 2007. After acquisition of higher qualification in the relevant subject, writ petitioner approached the concerned authority for sanction of higher scale of pay and the authority of Behala High

School where the writ petitioner is presently serving, in its turn forwarded the prayer of the writ petitioner along with necessary documents vide letter dated 6th July, 2019 to the office of the District Inspector of Schools (S.E.), Kolkata, respondent no.3. The grievance of the writ petitioner is that till date, no decision has been taken by the concerned District Inspector of Schools on the claim of the writ petitioner for sanction of higher scale of pay.

Mr. Arindam Chattopadhyay, learned advocate appears on behalf of the State-respondent and submits that since the prayer of respondent no.3 has remained pending, let there be a direction upon the said respondent no.3 to take decision in accordance with law.

After hearing the learned advocates representing the respective parties to this writ petition, this Court directs the District Inspector of Schools (S.E.), Kolkata, the respondent no.3, to take decision on the claim of the writ petitioner based on the papers forwarded by the authority of Behala High School on 6th July, 2019 at page 32, within a period of 12 weeks from the date of communication of this order.

The respondent no.3 is directed to grant opportunity of hearing to the writ petitioner as well as the authority of Behala High School before taking such decision. The decision to be taken by the

respondent no.3 shall be communicated to the writ petitioner within a period of two weeks thereafter.

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.)