

07.09.2021
item No.17
n.b.
ct. no. 5

WPA 13773 of 2021

(via video conference)

Halsana Washim Raja
-Vs-
The State of West Bengal & ors.

Mr. Sakti Pada Jana.... For the petitioner

Mr. Bhaskar Prasad Vaisya,

Mr. Ranjan Saha...for the State.

The petitioner is an Assistant Teacher working in Government aided Secondary School in the District of Murshidabad. The petitioner was recommended by the School Service Commission vide memo September 5, 2007 for being appointed as Assistant Teacher in Mathematics under Hons/PG category. Pursuant to such recommendation memo dated September 5, 2007 the petitioner joined the School namely Sarbangapur J.K. S. A. Vidyapith (H.S.), District Murshadabad. From September 15, 2007 the appointment of the petitioner was duly approved by the concerned District Inspector of Schools(S.E.), Murshadabad vide memo dated October 17, 2007 sanctioning honours scale of pay in recognition of honours degree in Mathematics which the petitioner was possessing at the time of his appointment.

The grievance of the petitioner in this writ petition is that in spite of acquiring post graduate qualification after his appointment as an Assistant Teacher on

September 15, 2007 with necessary permission from the concerned school authority where petitioner is serving at present and preferring representation to the District Inspector of Schools (S.E.), Murshidabad seeking sanctioning of post graduate scale of pay, the higher scale of pay has not been sanctioned till date in his favour. One of the representations made by the writ petitioner addressed to the District Inspector of Schools(S.E.), Murshidabad dated June 28, 2021, which is at page 39 of the writ petition, in the form of demand justice is pending. Writ petitioner prays for expeditious consideration of the said representation relating to grant of post graduate scale of pay by the said District Inspector of Schools(S.E.), Murshadabad.

The State respondent are represented by Mr. Bhaskar Prasad Vaisya, learned Additional Government Pleader duly assisted by Mr. Raja Saha, learned advocate, submits that if direction is given upon the District Inspector of Schools(S.E.), Murshidabad for consideration of the said demand justice the same can be considered in accordance with law.

Considering the rival submissions made on behalf of the respective parties to this writ petition, the writ petition is disposed of by giving direction upon the District Inspector of Schools (S.E.), Murshidabad, respondent no.3 to pass a reasoned order on the representation in the form of demand of justice of the writ petitioner dated June 28, 2021, at page 39 of this writ petition, after giving opportunity of hearing to the petitioner and the concerned school authority within twelve weeks from the date of communication of this order. The respondent no.3 is further directed to communicate his decision to the writ petitioner within two weeks thereafter.

This writ petition is disposed of.

All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this court.

Urgent Photostat certified copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Saugata Bhattacharyya, J.)