

Item No.85

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

26.11.2021
Ct-24

WPA 18374 of 2021
Md. Akhtaruddin
v.
State of West Bengal & Ors.

Md. Manuwar Ali
Ms. Sifa Sultana
... for the petitioner.

Mr. Swapan Kumar Dutta
Mr. Tuli Sinha
... for the State respondents.

The petitioner is an Assistant Teacher of a Madrasah. He was permitted by the District Inspector of Schools (S.E.), Murshidabad to appear in M.Sc Examination in Physics.

Relying on the prior permission dated March 5, 2013 issued by the District Inspector of School (S.E.), Murshidabad, the petitioner enhanced his qualification and applied before the Madrasah seeking higher scale of pay.

The prayer of the petitioner was duly forwarded by the Madrasah to the District Inspector of Schools (S.E.), Murshidabad on March 21, 2017. The Madrasah forwarded the relevant documents including the resolution book of the Madrasah to the District Inspector of Schools for taking necessary action in the matter.

An objection was raised from the District Inspector of Schools, which was duly clarified by the Madrasah in 2018.

The grievance of the petitioner is that the higher scale of pay has not been allowed in his favour till date.

The learned advocate representing the State respondents submits, upon instruction, that the District Inspector of Schools passed necessary direction upon the Headmaster of the Madrasah to take action in the matter.

It appears from the submissions made on behalf of the parties that the prayer of the petitioner seeking higher scale of pay is to be finally decided by the respondents.

Accordingly, the writ petition is disposed of by directing the District Inspector of Schools (S.E.), Murshidabad to take necessary steps in response to the application made by the petitioner seeking higher scale of pay.

The respondent no. 3 being the District Inspector of Schools (S.E.), Murshidabad shall pass a reasoned order within a period of eight weeks from the date of communication of a copy of this order and communicate the reasoned order to the petitioner immediately thereafter.

The Madrasah is directed to render all necessary assistance and cooperation to the District Inspector of Schools (S.E.), Murshidabad for the purpose of taking a decision in the matter.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)