

24 03.12.2021
rkd Ct.15

W.P.A. 17839 of 2015
Through Video Conference)

Swapan Kumar Saha

-vs-

The State of West Bengal & Ors.

Mr. Sudipta Dasgupta,
Mr. Arkadeb Biswas,
Mr. Sutintha Nayek

....for the petitioner.

Writ petitioner is an assistant teacher in Jadavpur Bandhab High School, District- Birbhum (for short 'said school') who was appointed on 7th April, 1995 admittedly with passgraduate qualification as a result whereof it is submitted by Mr. Dasgupta, learned advocate, representing the writ petitioner that from the date of appointment of the writ petitioner he is enjoying passgraduate scale of pay. During due discharge of duty as assistant teacher of the said school petitioner has enhanced his qualification i.e. postgraduate in History in the year 2002 from Bardhaman University and subsequently made representation to the concerned District Inspector of Schools (S.E.), Birbhum for sanction of postgraduate scale of pay. The grievance of the petitioner is that in spite of approaching the concerned District Inspector of Schools till date no formal decision has

been taken by the said District Inspector of Schools on the representation of the petitioner.

In course of submission Mr. Dasgupta has also filed supplementary affidavit in terms of the leave granted by a coordinate Bench on 17th September, 2015 and the said supplementary affidavit is taken on record.

Today at the time of hearing no one appears for the State respondents.

Since an innocuous prayer has been made on behalf of the writ petitioner the matter is taken up for hearing finally. In view of the submission made on behalf of the writ petitioner as well as on perusal of the relevant documents on record this Court directs the District Inspector of Schools (S.E.) Birbhum, respondent no.3 to take reasoned decision on the representation of the writ petitioner dated 10th February, 2015, Annexure P3 to this writ petition within a period of twelve weeks from the date of communication of this order after granting opportunity of hearing to the petitioner and the said school authority.

The petitioner shall be at liberty to rely upon the relevant documents as well as decisions of this Court before the respondent no.3 at the time of hearing. The decision to be taken by the

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

With the above direction, the writ petition is disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)