

53
21.03.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 3278 of 2022

**Biren Kumar Bandyopadhyay
-versus
State of West Bengal & Ors.**

**Mr. Ashis Kumar Paul.
...For the Petitioner.**

**Mr. Supriyo Chattopadhyay,
Ms. Iti Dutta.
...For the State.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner was appointed as a Primary School Teacher by the Chairman Adhoc Committee, Burdwan District Primary School Council on 20th July, 2000. He successfully completed and passed the Primary Teachers' Training Examination, 2006 held in the month of February, 2011 under the West Bengal Board of Primary Education. He is due to be superannuated on 30.04.2022.

The petitioner made a representation before the Council praying for grant of 'A' category scale of pay in terms of the Office Memorandum No. 4566/90 dated 28th October, 2015 issued by the Chairman, District Primary School Council, Burdwan.

According to the said Memorandum the Primary School Teachers who obtained the training may be allowed 'A' category scale of pay.

The petitioner has annexed documents to show that he obtained the training as required for sanction of 'A' category scale of pay in his favour. The petitioner relies upon orders passed by this Court in similar matters where 'A' category scale of pay has been directed to be paid to the trained Teachers.

The grievance of the petitioner is that the representation filed by him in February, 2022 praying for approval of 'A' category scale of pay in his favour has not been considered till date.

The petitioner has filed the present writ petition praying for a direction upon the respondent Council to consider his representation for allowing 'A' category scale of pay.

None appears on behalf of the Purba Burdwan District Primary School Council.

As it appears that the representation filed by the petitioner praying for 'A' category scale of pay is pending consideration at the end of the District Primary School Council, Purba Burdwan, accordingly, the instant writ petition is disposed of by directing the Chairman, District Primary School Council, Purba Burdwan to consider the representation dated 11th February, 2022 filed by the petitioner strictly in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order. The said respondent shall pass a reasoned order and

communicate the same to the petitioner immediately thereafter.

The petitioner is directed to forward a copy of his representation dated 11th February, 2022 along with all documents in his support to the aforesaid respondent at the time of communicating the order of this Court.

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.

(Amrita Sinha, J.)