

18.07.2022.
Court No.13
Item No. 15
ap

W.P.A. No. 5878 of 2009

**Rabiram Karar
Versus
The State of West Bengal & Ors.**

Mr. Ekramul Bari,
Mr. K.M. Hossain.

...For the petitioner.

The writ petitioner was appointed as an Assistant Teacher in Language Group on 1st October, 1986. He improved his qualification in Post Graduate Scale in the year 1998. The application for higher pay scale was rejected by an order dated 26th November, 2006.

It is submitted that the impugned order is unsustainable in law since the Control of Expenditure Act has no retrospective effect.

In that view of the matter, the impugned order dated 26th November, 2006 is set aside and the matter is remanded for consideration afresh to the District Inspector of Schools (SE), Howrah, who shall pass a reasoned order and communicate the same to the petitioner within seven days thereof.

The aforesaid exercise shall be completed by the District Inspector of Schools (SE), Howrah within a period of four months from date.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will 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.

(*Rajasekhar Mantha, J.*)