

Court No. 22
23.11.2022
(Item No. 15)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 10082 of 2021

Debarati Sarkar (Pal)
VS
The State of West Bengal & Ors.

Mr. Kamalesh Bhattacharyay
Mr. Aninda Bhattacharyay
..... for the petitioner
Mr. Supriyo Chattopadhyay
Ms. Iti Dutta
... for the State

The petitioner claims to be Teacher at respondent No. 5 school.

By an order dated August 24, 2012 passed by a coordinate bench in a previous writ petition of the writ petitioner, the coordinate bench was pleased to set aside the impugned decision of the respondent No. 3 and directed the respondent No. 3 to re-visit the issue on the basis of the observation made therein. The respondent No. 3 passed his reasoned order on May 20, 2015 **Annexure P-6** to the writ petition whereby the petitioner was held to be entitled to draw Post Graduate scale. Following the said decision of the respondent No. 3 the relevant School by its communication dated August 24, 2015 had confirmed the respondent No. 3 that the petitioner was entitled to draw Post Graduate scale of pay with effect from January 14, 1999 and for the period from January 14, 1999 to August 31, 2015. Necessary papers and

documents were also sent by the relevant School to the respondent No. 3.

Mr. Supriyo Chattopadhyay, learned State counsel appears for the respondent No. 3.

In view of the above, considering the submissions of the parties and considering the materials on record, the respondent No. 3 is directed to take steps and pay the petitioner in terms of its communication dated May 20, 2015 read with the communication of the relevant School dated August 24, 2015 forthwith and positively within a period of four weeks from the date of communication of this order.

Mr. Supriyo Chattopadhyay, learned State counsel, on instruction, submits that, the respondent No. 3 has already forwarded all the necessary documents and records for disbursing the payment to the petitioner before the Deputy Director, Grant-in-Aid, State of West Bengal.

The State authority namely Deputy Director, Grant-in-Aid is accordingly directed to take steps to enable the respondent No. 3 to carry out his exercise within the period as directed above.

The learned advocate on record of the petitioner shall serve a copy of this order upon the Deputy Director, Grant-in-Aid, Secondary Education, State of West Bengal.

On the above terms, this writ petition being **WPA 10082 of 2021** stands allowed.

There shall, however, be no order as to costs.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Aniruddha Roy, J.)