

08.06.2022.
Item No. 28.
Court No.13
pk

W.P.A. No. 12122 of 2019

**Md. Ataullah
Versus
The State of West Bengal and others**

Mr. Biswaroop Bhattacharya,
Mr. Golam Mohiuddin,
Ms. Puja Mondal

...for the petitioner.

Mr. Ranjan Saha

... for the State.

The writ petitioner claims post graduate scale of pay from the time he has acquired M.Sc. degree.

The petitioner was appointed as an Assistant Headmaster with effect from 3rd March, 2018, and has been allowed post graduate scale of pay since 2018, when he started performing his duties as an Assistant Teacher. The Managing Committee has granted permission for improvement of qualification by the petitioner in 2008. However after coming into force for the West Bengal Schools (Control of Expenditure Act) 2005, permission to pursue post graduate course is required to be accorded by the D. I. of Schools in terms of Act, 2005, which has not been done.

In those circumstances, the petitioner cannot claim any scale of pay in the post graduate-level for the period that he worked as an Assistant Teacher. The petitioner is already getting P.G. Scale in the higher post which mandates and requires post, graduate degree at the inception itself.

In view of the above, no relief can be granted to the petitioner.

The writ petition is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)