

16.08.2022
Court No.13
Item No.8
AP

WPA 13193 of 2011

Subhendu Batul
Vs.
State of West Bengal and Ors.

Mr. Ekramul Bari
Ms. Tanuja Basak
Mr. Sk. Imtiaj Uddin

... For the Petitioner.

Mr. Bhaskar Prasad Vaisya
Mr. Suman Dey

... For the State.

The petitioner is aggrieved by the fact that by the impugned order dated 4th July 2011 passed by the District Inspector of Schools (S.E.), Purba Medinipur, the prayer for higher scale of pay pursuant to the petitioner having acquired M.P.Ed. qualification in the year 2000, has been denied.

The petitioner was appointed by the Schools Service Commission on 19th July 2001.

By circular No.155(SE) dated 13th July 1999 which qualified Clause 12(3) of the ROPA Rule 1998, the State has stipulated that teachers who are appointed with scales prescribed by the School Service Commission shall only get such scale and nothing else. Any claim for higher pay scale upon acquiring higher qualification is to be in terms of any decision of the School Service Commission and the State in that regard.

The said position has been clarified by a Division Bench of this Court in the case of ***The District***

***Inspector of Schools (S.E.), Murshidabad & Ors. Vs.
Md. Mainul Islam & Ors. in MAT 119 of 2018.***

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

With the aforesaid observations, the writ petition is dismissed.

There shall 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.)