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07.04.2022
d.p.

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

W.P.A 21345 of 2021

**Dipali Bhattacharya
-versus
State of West Bengal & Ors.**

**Mr. Tarapada Das,
Mr. Chandan Dutta,
Ms. Soma Chakraborty.
...For the Petitioner.**

**Mr. Pinaki Dhole,
Mr. Abhishek Prasad.
...For the State.**

Affidavit-in-reply filed by the petitioner in Court today is taken on record.

The petitioner is aggrieved by the order dated 23rd November, 2020 whereby her prayer for fixation of the scale of pay in terms of the Government Memorandum No. 25-SE(B)/IM-102/98 dated 12th February, 1999 has been rejected.

According to the petitioner, the outer pay scale of her pay as on the date of superannuation that is 30th November, 2007 ought to have been Rs. 7075/-. The respondents have fixed up the scale of pay as per Government Order No. 25-SE(B) dated 12th February, 1999 at Rs.4600/- on 1st April, 1996 in the scale of pay of Rs.3350/- to Rs.6325/- in terms of the G.O. No. 732-SE (Law)//CH/5S-284/01 dated 21st November, 2003

of the School Education Department, Government of West Bengal.

The petitioner is presently receiving the scale of pay as on the date of superannuation on 30th November, 2007 at Rs.5950/-.

Detailed calculation has been made in the Office Memorandum of the Commissioner of School Education, Government of West Bengal to show as to how the pensionary benefit of the petitioner was fixed in the basic pay of Rs.5950/- on 30th November, 2007.

Though the petitioner claims that the scale of pay has been wrongly fixed, but the petitioner has failed to satisfy the Court as regard the error in fixation of scale of pay.

It appears that the petitioner was duly paid the scale of pay as mentioned in the Government Order.

In view of the above, the impugned order is not interfered with.

The writ petition fails and is hereby dismissed.

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

(Amrita Sinha, J.)