

Ct. 02.02
No. 14 2023
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W.P.A. 4623 of 2022
Sukamal Dey
-Versus-
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury **...For the Petitioner**
Mr. Supriya Chattopadhyay
Ms. Sayantanee Bhattacharya **...For the State Respondents**

The writ petition is taken up for hearing.

The petitioner was appointed as a Librarian in Berhampur J.N. Academy, P.O. Khagra, Murshidabad on 10th May, 2008. While he joined as Librarian,, he then possessed the qualification of B.Sc. B. Lib. Taking prior permission of the authority concerned he completed his “Master of Library and Information Science” course successfully from Indira Gandhi National Open University in February, 2012.

The petitioner applied for higher scale of pay to the Managing Committee of the School on 26th July, 2016. The Managing Committed vide its resolution dated 5th August, 2016 unanimously recommended that the higher scale of pay be granted to the petitioner. In terms of the unanimous decision of the Managing Committee, the Headmaster of the School sought for higher scale of pay for the petitioner to the District Inspector of School (SE), Murshidabad on 10th February, 2020 as per ROPA 2009. But, despite repeated requests made to the District Inspector of Schools (SE), Murshidabad, no response was received from him. Ultimately, by filing an application under the Right to Information Act, the petitioner came to know that the prayer on his behalf for higher scale of pay was turned down.

The petitioner submits that because of his enhancing higher education, he is entitled to get higher pay commensurate with his educational qualification as per ROPA 2009. By a representation dated 21st February, 2022, the petitioner made appeal to the Director of School Education, Government of West Bengal, seeking higher scale of pay in terms of ROPA 2009, but to no effect. Hence, the petitioner by preferring this writ application seeks appropriate reliefs.

Having heard the learned Counsels appearing for the parties and on consideration of the documents placed on record, I feel that the writ petition is disposed of by passing the following order.

The Director of School Education, being the respondent No. 2, is directed to consider and dispose of the representation dated 21st February, 2022 of the petitioner by passing a reasoned order giving an opportunity of hearing to the petitioner and all other interest parties within eight weeks from the date of communication of this order. While giving opportunity of hearing the respondent No. 2 shall allow the petitioner to produce the relevant documents.

Once the order is passed, the respondent No. 2 shall communicate the order to the petitioner within seven days from the date of passing the order.

With the aforesaid direction, the writ petition is disposed of.

Since, no affidavit-in-opposition has been invited the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

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

Urgent photostat copy of the order, if applied for, be supplied to the appellant on priority basis on compliance of necessary formalities, on priority basis.

(*Rabindranath Samanta, J.*)