

06. 01. 2023

BP
Sl. 6
Court No. 17

WPA 5801 of 2022

Srimati Soma Dey
Vs.
The State of West Bengal & Ors.

Mr. Sanjib Kumar Mukhopadhyay
Ms. Nargish Parveen
... for the petitioner

Mr. B.P. Vaisya
..for the State

Mr. Pallav Chatterjee
Mr. Tanweer Jamil Mandal
..for the respondent no.5

No report has been filed by the State.

Here the petitioner after joining service completed her training course namely D.EL.ED. He was a student of D.EL.ED in the Sessions 2017 to 2019. The course of such training came to an end on 31st July, 2019. The petitioner has successfully completed the said training qualification as indicated above. Therefore, she is entitled to get the enhanced salary from the date of her completion of the course i.e. 31.07.2019 and not from the date when the result was published. The reason for this is: a qualification is attained from the last date of the session if a candidate successfully qualifies the training course and her qualification does not commence from the date of publication of the result.

Therefore, the petitioner is entitled to get the benefit from the date of completion of D.EL.ED course i.e. from 31.07.2019.

I direct the concerned District Inspector of Schools to grant the petitioner enhanced salary due to attainment of such training qualification from 31.07.2019 and I set aside the decision of the authority granting her the benefit of attaining qualification from the date of publication of the result.

Such benefit due to attainment of qualification is to be given by the petitioner by thirty days from the date of communication of this order. The petitioner is directed to communicate this order to the appropriate authority immediately. The report filed by the respondent no.5 is kept on record.

The writ application is allowed.

(Abhijit Gangopadhyay, J.)

