

26. 09. 2023

BP
Sl. 137
Court No. 17

WPA 13909 of 2023

Sankar Prasad Dalui
Vs.
The State of West Bengal & Ors.

Mr. Tulsi Das Maiti
Mr. Pradip Kumar Ghosh
Ms. Namita Basu
... for the petitioner

Mr. Santanu Kumar Mitra
Mr. Amartya Pal
..for the State

Mr. Ranjan Saha
..for DPSC, Paschim Medinipur

Here the petitioner after joining service completed his 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 March, 2019. The petitioner has successfully completed the said training qualification as indicated above. Therefore, he is entitled to get the enhanced salary from the date of his 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 his 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 him the benefit of attaining qualification from the date of publication of the result.

The direction to refund the amount as contained in the letter of the Secretary of the District Primary School Council, Paschim Medinipur dated 18.07.2022 is set aside and quashed.

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 writ application is allowed.

(Abhijit Gangopadhyay, J.)

