

05.10.2023
Item No.26
Court No.18
AJ.

W.P.A. 17358 of 2023

Sujan Roy

-Vs-

The State of West Bengal & Ors.

Mr.Shuvro Prokash Lahiri,
Mr. Rajesh Naskar,
Ms. Tithi Majumder.
....for the petitioner.

Mr. Suman Dey,
Mr. Hemanta Kumar Das.
....for the State.

Affidavit of service filed on behalf of the petitioner be kept with the record.

The petitioner is an Assistant Teacher in the subject Mathematics at Bandel Vidyamandir, District : Hooghly. He is praying higher scale of pay with effect from the date of acquiring the Master's Degree in the relevant subject i.e. June 30, 2008 with disbursement of arrear salary along with interest.

The earlier writ petition being WPA 24929 of 2012 filed by the petitioner seeking relief was disposed of by the co-ordinate Bench of this Court vide order dated June 14, 2021 directing the authorities to grant higher scale of pay from July 01, 2008 the date following the last date of Master's degree examination of the petitioner.

Mr. Dey, learned Advocate for the State respondents submits that he has obtained instruction from the concerned District Inspector

of Schools that an appeal is proposed against the
aforementioned order of the co-ordinate Bench.

Merely a proposal of appeal cannot dilute
the effect of the order proposed to be challenged in
the appeal.

The concerned authority is, therefore,
directed to re-fix the scale of pay to the petitioner
and to release the arrear salary along with interest
@ 2 % per annum.

The entire exercise in this regard is to be
concluded within a period of eight weeks from the
date of communication of this order.

W.P.A. 17358 of 2023 is disposed of with
the above terms without any order as to costs.

Urgent photostat certified copy of this
order, if applied for, be supplied to the parties
subject to compliance with all requisite
formalities.

(Biswajit Basu, J.)