

Ml- 30.07.2024
377 Ct.18
rkd

W.P.A. 311 of 2023

Souma Pal

-vs-

State of West Bengal & Ors.

Mr. Avijit Chakraborty

...for the petitioner.

Mr. Rajarshi Basu,
Mr. K. M. Hossain

....for the State.

Matter basically relates to grant of postgraduate scale of pay in favour of the petitioner who is working in a Government aided secondary school.

From the submission made on behalf of the parties and taking note of the materials available on record it appears that in terms of the order dated 15th June, 2015 issued by the Secretary, School Education Department overdrawn amount was deposited by the petitioner in the treasury in the month of October, 2018 and thereafter relevant documents in terms of the order dated 15th June, 2015 of the Secretary of Education Department were submitted before the head of the institution of petitioner's previous school on 15th November, 2022.

Submission of documents on 15th November, 2022 stands corroborated by the letter

of the petitioner dated 15th November, 2022 which is at page 42 of the writ petition. After submission of documents before the previous school authority of the petitioner benefits of postgraduate scale of pay including arrear were paid in the month of July, 2023.

However, petitioner claims interest on the arrear benefits relating to sanction of postgraduate scale of pay.

In consideration of the facts relating to present case, it appear that though the Secretary of the School Education Department vide order dated 15th June, 2015 requested the petitioner to deposit certificates before the previous school authority but the petitioner took precisely seven years time to submit those documents before the said school authority and ultimately on 15th November, 2022 those documents were submitted.

In view of the delay occurred at the instance of the petitioner in submitting documents prayer of the petitioner to grant interest on arrear benefits relating to sanction of postgraduate scale of pay is refused.

However, petitioner shall be entitled to draw her salary in postgraduate scale of pay being an Assistant Teacher of a Government aided school.

With the aforesaid clarification, the writ petition stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)