

WPA 3127 of 2019

12.6.2024

ct.25, sl. 85
sk

Bahura Baraik-vs-State of West Bengal & Ors..

Mr. Golam Mastafa
Mr. Tarasankar Samanta
Mr., Akruzzaman
.....for the petitioners

Mr. Bhaskar Prasad Vaisya
Mr. Suman Dey
....for the State.

Affidavit of service filed by the petitioner is taken on record.

Learned advocates for the parties are present.

Mr. Mastafa, learned advocate is representing the writ petitioner. He says that in spite of the petitioner having enhanced his qualification to M.A.Degree pursuant to prior permission granted by the School authority, the concerned respondent authority i.e., the District Inspector of Schools (Secondary Education), South 24-Parganas has remained inactive in duly considering his prayer for revision of pay scale pursuant to the improved academic qualification.

A written representation to that effect seeking relief has been submitted by the writ petitioner to the respondent/ District Inspector of Schools (Secondary Education), South 24-Parganas, i.e. dated September 8, 2015. However, the same is still pending and yet to be considered by the State authorities.

Very fairly, Mr. Mastafa has submitted that though the petitioner has not been recommended by the School Service Commission but the Managing Committee of the Committee itself of appointment the rules applicable for revision of pay scale due to improvement of academic qualification would be applicable to him also pursuant to the law settled in this regard by the Hon'ble Supreme Court of India.

Considering the facts and circumstances of the case made on behalf of the petitioner as above, it is found proper to dispose of this writ petition by directing the concerned authority i.e. the District Inspector of Schools((Secondary Education), South 24-Parganas to consider and dispose of the representation of the writ petitioner dated September 8, 2015 with the reasoned order an affording opportunity of hearing to the writ petitioner as well as any other persons as it may deem fit and proper.

In doing so the concerned respondent shall also consider the relevant laws as settled in this regard and any other documents as would be relied on by the writ petitioner.

The entire exercise as above shall be concluded by the State respondent within six weeks from the date of communication of this order.

The writ petition is disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rai Chattopadhyay, J.)