
31. 07.2024
Item No.32
BR

WPA 3532 of 2020

Bandana Majuri

-VS-

State of West Bengal and Ors.

Mr. Rezaul Hossain,
Mr. Parvez Hossain,
... for the petitioner

Mr. Supriyo Chattopadhyay,
Mr. Sabyasachi Mondal
.... For the State

The writ petitioner is aggrieved that in spite of her higher qualification she has not yet been granted the higher pay scale commensurate to her such qualification.

She has made a representation dated December 18, 2019. The same is still pending having not been considered by the District Inspector of Schools (Secondary Education), South 24-Parganas/respondent no. 3.

Learned counsel appearing for the petitioner submits that the writ petitioner had completed her Part-I examination in Masters' Degree course, before entering into service. He also submits that writ petitioner had completed Part-II of her Masters' Degree course after joining in service and after

taking permission from the concerned respondent-school authority. From the documents he has indicated that July 4,2012 was the last date of examination of the writ petitioner. He submits that as per law the petitioner would be entitled to higher scale of pay from the day after last date of examination as above.

The State is represented.

In view of Rule 12(3) of the ROPA 1998 and Section 14(3) of the West Bengal Schools (Control of Expenditure) Act,2005 and also the judgment of the Hon'ble Full Bench of this Court in ***Utpal Kanti Karan vs. State of West Bengal*** reported in ***AIR Online 2024 CAL 122***, it appears that the writ petitioner's case should be considered as a fit case for granting higher scale of pay.

In such view of the matter, this writ petition is being disposed of with the direction upon the District Inspector of Schools (Secondary Education), South 24-Parganas/respondent no. 3 to consider the prayer of the writ petitioner by dint of her representation dated December 18, 2019, in the light of the provision of law as mentioned above as well as the judgment of Hon'ble Full Bench as referred above.

In doing so, the concerned respondent shall grant an opportunity of hearing to the writ petitioner and also consider relevant

documents necessary for proper disposal of the said representation.

The concerned respondent shall immediately pass a reasoned order disposing of the said representation of the petitioner and positively within a period of four weeks from the date of communication of this order.

This writ petition being WPA No. 3532 of 2020 is disposed of, along with the pending applications, if any.

Urgent Photostat certified copy of this order duly downloaded from the official website of this Court upon compliance all legal formalities.

(Rai Chattopadhyay, J.)