

22.03.2024.
Court No. 13
Item No. 24
ap

W.P.A. No. 5345 of 2024

**Samir Kumar Das
Versus
The State of West Bengal & Ors.**

Mr. Ekramul Bari,
Sk. Intiaj Uddin.

...For the petitioner.

Mr. Biswabrata Basu Mallick, AGP,
Mr. Biman Halder,
Ms. Sucheta Paul.

...For the DPSC, Hooghly.

Mr. Abu Siddique Mallik.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner is aggrieved by the fact that while processing his pension papers after retirement on 30th November, 2023, the authorities have remarked that the petitioner had completed Primary Teachers Training Course (in short 'PTT') on 14th July, 2011 but has not subsequently covered (sic. undergone) one year Bridge Course.
3. The issue as regards the completion of PTTE Certificate and consequent entitlement of "A" Category Pay Scale to pre-2001 Assistant Teachers has been settled by a Division Bench of this Court in M.A.T. No. 714 of 2020 (The District Primary School Council & Anr. – Vs. – Bhiguram Karmakar & Ors.) on 11th February, 2021 as confirmed on 5th January, 2024.

4. It was held that the persons completed PTTE Course for the year 2005-2006 and those who received the qualification in the year 2011, cannot be blamed for the delay on the part of the State to complete their Course in time and issue certificate in time.

5. It also consequently follows from the above that such pre-2001 appointees do not require to complete any Bridge Course.

6. Admittedly, the petitioner was given "A" Category Pay Scale with effect from the year 2011.

7. In the background and the facts and circumstances of the case, no fault can be found with the "A" Category Pay Scale given to the petitioner with effect from 2011 while he was in service.

8. In those circumstances, the observations of the Pension Authority against the petitioner's "A" Category Pay Scale are quashed and set aside.

9. Let a fresh Pension Payment Order be issued as per the last drawn salary of the petitioner, within a period of one month from date. The concerned District Inspector of Schools (PE) shall forward the calculation of the petitioner's pay and emolument after receiving the same from the District Primary School Council, Hooghly within a period of ten days from date.

10. In the instant case, the timeline indicated above shall strictly confirm to by the respondents. In so far as arrears of pension payable to the petitioner from

30th November, 2023 is concerned, let the same be released in favour of the petitioner within a period of one month from date at the rate of 5% per annum.

11. With the aforesaid directions, the instant writ petition shall stand disposed of.

12. There will be no order as to costs.

13. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)