

04.04.2024
Court No.13
Item No.22
pk

WPA 8283 of 2024

**Dilip Kumar Malik and others
Vs.
The State of West Bengal and Ors.**

Mr. Ekramul Bari,
Sk. Imtiaj Uddin

... For the Petitioners.

Mr. Biswabrata Basu Mallick,
Mr. Biman Halder,
Ms. Sucheta Rej

... For the DPSC, Hooghly.

Mr. Supriya Chattopadhyay,
Mr. Arindam Ghosh

... For the State.

1. Evidence of payment of Court Fees has been produced in Court, which is taken on record.

2. The petitioner is aggrieved by an order dated 26.12.2023 passed by the Chairperson, Hooghly District Primary School Council. By the said order the petitioners' names were removed from the panel of the head teachers. Admittedly, the petitioners joined the school as Assistant Teachers in the year 2000. The petitioners completed one year Teachers' Training Course after 31.12.2005.

3. In terms of the Notification of the State, Teachers' Training Qualification of one year constitutes a sufficient compliance of the training requirement for a teacher. By order dated 08.02.2024, WPA 13196 of 2019 (Avijit Chowdhury and another Vs. The State of West Bengal

and others) following a decision dated 11.02.2021 passed by the Division Bench of this Court in MAT 714 of 2020 (DPSC and another Vs. Bhriguram Karmakar and others) has upheld the entitlement of “A” category pay scale to all teachers who have completed PTT Training post 2005 in one year duration course. It was further held that such persons are equally entitled to be on the panel for the post of head teachers.

4. In view of the aforesaid, the impugned order dated 26.12.2023 shall stand set aside. The petitioners shall be restored in the panel of head teachers in terms of their seniority thereunder and shall be eligible for appointment of head teachers, as and when their turns come.

5. The writ petition is disposed of.

6. There will be no order as to costs.

7. 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.)