

**03.04.2024**

Ct. No. 13

(37)

Dd

W.P.A. 9201 of 2024

Swapan Kumar Sarkar & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Saktipada Jana,

Ms. Subhajyoti Das,

... for the petitioners

Mr. Biswabrata Basu Mallick, AGP

... for the DPSC, Uttar Dinajpur

Ms. Parna Ray Chowdhury,

Ms. Suchita Pal,

... ...For the State

1. By the order dated December 1, 2021 passed by a Co-ordinate bench of this Court, the matter was kept pending disposal of MAT 714 of 2020.

2. The said appeal has been disposed of by a judgment and order dated January 5, 2024 passed by a Division Bench of this Court that was heard along with MAT 107 of 2022 and other appeals. The Division Bench has held that teachers who completed their training qualification for the year 2005-06 in the year 2011 are entitled to 'A' category pay scale since the delay in declaring their qualification is not attributable to them.

3. This Court, following the said Division Bench judgment, has in WPA 13194 of 2019 by order dated February 8, 2024 as corrected on February 20,

2024 allowed prayers, similar to the instant writ petition.

4. It is therefore ordered that the petitioners shall be entitled to A category pay scale with effect from 2006 and as decided by the Division Bench and this Court.

5. Copies of the aforesaid order are kept with the record.

6. Reliance is also placed by the learned counsel for the petitioners on an order of a Co-ordinate bench of this Court dated January 6, 2023 passed in WPA 5801 of 2022, in support of the arguments that the petitioners are entitled to such 'A' category pay scale with effect from 2006.

7. Let arrears of salary be paid to the petitioners within two months from date.

8. With the aforesaid observations, the instant writ petition shall stand disposed of.

9. There shall be no order as to costs.

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

**(Rajasekhar Mantha, J.)**