

ML 42
Dt.06.05.24
sandip
Ct. 18
07.05.2024

W.P.A. 9286 of 2024

Arup Kumar Das
Vs.
The State of West Bengal & Ors.

Mr. Kaustubh Chandra Das
Sk. Sahjahan Ali ... For the petitioner.

Mr. Sagnik Chatterjee,
Mr. Manish Biswas ... For the State.

Ms. Koyeli Bhattacharyya ... For the WBBSE.

Affidavit-of-service filed on behalf of the petitioner
be kept with the record.

The petitioner is an approved Assistant Teacher of
Gonnaserandi High School (H.S.), District – Purba
Bardhaman of the subject Mathematics.

The representation of the petitioner praying higher
scale of pay on enhancement of his qualification in the
relevant subject is pending before the District
Inspector of Schools(S.E.), District- Purba
Bardhaman, the respondent no. 3 herein. The said
representation forms part of the writ petition being
Annexure – ‘P9’

The petitioner is praying immediate disposal of the
said representation.

Mr. Das, learned advocate for the petitioner
submits that the petitioner was pursuing his higher
studies prior to joining the service, therefore no
situation to take such prior permission arose, besides,
in view of different judgments of this Court, the prayer

of the petitioner for such higher scale of pay cannot be denied.

The respondent no. 3 is directed to dispose of the said representation in accordance with law as expeditiously as possible preferably within a period of eight weeks from the date of communication of this order, if necessary, after giving the petitioner or his representative an opportunity of hearing.

The petitioner is obliged to place all relevant judgments and rules on the subject before the said respondent at the time of disposal of the said representation.

W.P.A. 9286 of 2024 is disposed of with the above terms without any order as to costs.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)