

07.05.2024
(M/L 44)
Ct.-18
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 9973 of 2024
Sudip Sikder
Vs.
The State of West Bengal & Ors.

Mr. Kaustubh Chandra Das
Sk. Sahjahan Ali

... For the petitioner.

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

The petitioner is an approved Assistant Teacher at
Tantipara Nabakishore Vidyaniketan (H.S.), District –
Birbhum of the subject Mathematics.

A representation of the learned advocate for the
petitioner dated January 17, 2024 for grant of higher
scale of pay on enhancement of his qualification in the
relevant subject is pending consideration before the
District Inspector of Schools (S.E.), District-Birbhum,
the respondent no.3 herein. The said representation
forms part of the writ petition being Annexure-‘P₇’.

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,
particularly the judgment of the Hon’ble Division

Bench 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/rules/Government Orders on the subject before the said respondent at the time of disposal of the said representation.

W.P.A. 9973 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.)