

DL - 06
17.09.2024
Ct No. 18
S.D

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 13146 of 2023

Dipankar Bagui
Vs.
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury
Ms. S. Mitra
... for the petitioner.

Mr. Suprio Chattopadhyay, Id. AGP
Mr. Sabyasachi Mondal
.....for the State respondents.

Affidavit-in-service filed on behalf of the
petitioner is taken on record.

By presenting this writ petition, inter alia,
petitioner has laid claim for sanction of post-
graduate scale of pay. Petitioner was initially
appointed as Assistant Teacher with Honors' Degree
in Physics on and from 25th June, 2011 and was
sanctioned Honors' Graduate Scale of Pay.

Learned advocate representing the petitioner
states that he has obtained post-graduate
qualification in physics through Distant Mode of
Education from Vidyasagar University.

Petitioner claims sanction of post graduate
scale of pay for acquiring higher qualification in the
relevant subject of teaching.

State respondents are represented by Mr. Chattopadhyay, learned Additional Government Pleader who submits that the issue may be relegated to the District Inspector of Schools(S.E.), Hooghly being respondent no.4 for taking decision.

Having considered the submissions made on behalf of the respective parties, leave is granted to the petitioner to make a comprehensive representation to the District Inspector of School (S.E), being the respondent no.4 by a fortnight from date claiming post-graduate scale of pay for acquiring higher qualification. If such representation is made within the aforesaid time, the respondent no.4 shall decide the entitlement of the petitioner to enjoy post graduate scale of pay by eight weeks from the date of the receipt of representation from the petitioner. A reasoned order shall be passed by the respondent no.4 after granting opportunity of hearing to the petitioner or his representative.

The decision to be taken that the respondent no. 4 shall be communicated to the petitioner by one week thereafter.

While taking decision, the respondent no. 4 shall rely upon the judgement of the Hon'ble Special

Bench dated 7th February, 2024 passed on a bunch of matters and the first matter being WPA 9921 of 2007 (Utpal Kanti Karan –vs- State of West Bengal and Others).

With the aforesaid observations, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)