

July 3, 2024
AD 43
Ct. 17

SG

WPA 14306 of 2024

Sutapa Majee
vs.
The State of West Bengal and others

Mr. Sunny Nandy
Mr. Ravi Ranjan Kumar
... for the petitioner.

Mr. Swapan Kumar Datta
Mr. Dipankar Das Gupta
... for the State(Appointed).

Affidavit of service filed in Court is taken on record.

No one appears on behalf of the State.

Mr. Swapan Kumar Datta and Mr. Dipankar Das Gupta, learned advocates, who ordinarily appear on behalf of the State, are requested to represent the State. Their engagements may be regularised by the concerned authorities. A copy of the writ petition shall be handed over to learned advocate for the State.

Learned counsel for the petitioner submits as follows. The petitioner joined service in Banwarilal Bhalotia College as a Lecturer (Contractual) of Computer Application in the year 2008. After completion of probation period he was issued a letter of appointment in the year 2008 itself. As per notification dated 23.12.2019 he was given the benefits of pay scale of SACT Category II. On 22.01.2021 another notification was published. According to the same notification, the petitioner became entitled to the pay scale of Category I as he had passed

the necessary qualifications as required for such purpose.

Learned counsel for the State denies the allegations and submits that the notification dated 23.12.2019 pertains to government/government aided colleges. The notification of the year 2021 related only to government engineering and technological colleges. Admittedly, the said Banwarilal Bhalotia College is a government sponsored/aided college and not a government college.

It appears that while the petitioner is covered by the notification of the year 2019 which is applicable to government/government aided colleges, he is not covered by the notification of the year 2021 which pertains only to government engineering and technical colleges. Therefore, the petitioner cannot claim the benefits of SACT Category I as per the notification of the year 2021.

Accordingly, I do not find any merit in this application.

Hence, the writ petition is disposed of without any further order, even as to costs.

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

[Jay Sengupta, J.]