

07 26.06.2024
rkd Ct.18

W.P.A. 15596 of 2024

Kushal Kumar Hansda

-vs-

The State of West Bengal & Ors.

Mr. Shakti Pada Jana

....for the petitioner.

Ms. Ashima Das (Sil)

....for the State.

The writ petition is presented, *inter alia*, praying for grant of arrear incremental benefits for the period from 1st January, 2016 till 31st March, 2021 for acquiring B.Ed. qualification in the year 2015.

Mr. Jana, learned advocate representing the petitioner submits that petitioner was appointed as an Assistant Teacher with effect from 2nd January, 2003 as an untrained candidate and subsequently obtained B.Ed. qualification and the last date of B.Ed. examination was 15th February, 2015. According to the petitioner he is entitled to receive increment on acquiring training qualification with effect from 1st January, 2016.

However, it is submitted that incremental benefit has been accorded in favour of the petitioner from 2021.

Considering the claim of the petitioner for

incremental benefits for the period from 1st January, 2016 till 31st March, 2021 the school authority vide letter dated 5th July, 2022 requested the Additional District Inspector of Schools (S.E.), Uluberai, Howrah being respondent no.4 to accord necessary approval for releasing arrear incremental benefits but till date no decision has been taken by the respondent no.4.

State respondent are represented by learned advocate who submits that in the event direction is given upon the respondent no.4 steps shall be taken in accordance with law.

Having considered the submissions made on behalf of the parties the writ petition stands disposed of directing the Additional District Inspector of Schools (S.E.), Uluberia, Howrah being respondent no.4 to take decision on the claim of the petitioner for arrear incremental benefits for the period from 1st January, 2016 to 31st March, 2021 within a period of eight weeks from the date of communication of this order after granting opportunity of hearing to the petitioner or his representative and the representative of the concerned school authority.

The decision to be taken by the respondent no.4 shall be communicated to the parties within

one week thereafter.

If the respondent no.4 ultimately decides that the petitioner is entitled to receive the arrear incremental benefits consequential steps shall be taken expeditiously for releasing such benefits.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)