

09.07.2024
Sl. No.14
akd

W. P. A. 16795 of 2024

[Swapn Ghosh -Vs- The State of West Bengal & Ors.]

Mr. Sahjahan Ali
... for the petitioner

Mr. K. M. Hossain
Ms. Mita Biswas
... for the State

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

The writ petition is heard in presence of the learned advocates representing the petitioner and the State respondents.

The learned advocate for the petitioner submits that he is entitled to receive Post Graduate scale of pay on acquiring higher qualification of M.A. in Education through distant mode of education from Rabindra Bharati University in 2009. It has further been submitted that the petitioner was appointed on 11.03.2006 as an Assistant Teacher in Education in Higher Secondary section in a Government aided school. It is also submitted that subsequently with the permission of the school authority petitioner obtained higher qualification and communication was made to the concerned District Inspector of Schools for issuance of necessary permission. Now it is contended since the petitioner has obtained Post Graduate qualification in relevant subject of teaching, he is entitled to receive higher scale of pay.

The State respondents are represented by Mr. K. M. Hossain, learned advocate who submits that if direction is given

upon the concerned District Inspector of Schools, necessary decision to be taken in accordance with law.

Having considered the submissions made on behalf of the parties, the writ petition stands disposed of granting leave to the petitioner to make a comprehensive representation claiming Post Graduate scale of pay by a fortnight from date and the same to be addressed to the District Inspector of Schools (SE), Howrah being respondent no.3. If representation is made by the petitioner within the aforesaid time, the respondent no.3 shall take decision on the claim of the petitioner for sanction of Post Graduate scale of pay by eight weeks from the date of receiving the representation after granting opportunity of hearing to the petitioner and the school authority or their representative. The reasoned decision taken by the respondent authority shall be communicated to the parties by one week thereafter.

Needless to record herein that while taking decision by the respondent no.3, the observations made by the Special Bench in the judgment dated 07.02.2024 shall be followed.

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

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 undertaking.

(Saugata Bhattacharyya, J.)