

11.07.2024.
Court No. 13
Item No. 17
ap

W.P.A. No. 17141 of 2024

Ashis Kumar Mal
Versus
The State of West Bengal & Ors.

Mr. Prosenjit Mukherjee,
Mr. Arghya Kamal Das.

...For the petitioner.

Mr. Rabindra Nath Pal,
Ms. Tanushree Pal Chowdhury.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner seeks for “A” category pay scale from the day after the date of last date of his PTTE Examination for the year 2005-06.
3. By the order dated December 1, 2021 passed by a Co-ordinate Bench of this Court, the matter was kept pending disposal of MAT 714 of 2020.
4. The said appeal being M.A.T. No. 714 of 2020 has been disposed of by a judgment and order dated January 5, 2024 passed by a Division Bench of this Court that was heard along with MAT 107 of 2022 and other appeals. The Division Bench has held that teachers who completed their training qualification for the year 2005-06 in the year 2011 are entitled to “A” category pay scale since the delay in declaring their qualification is not attributable to them.

5. This Court, following the said Division Bench judgment, has in WPA 13194 of 2019 by order dated February 8, 2024 as corrected on February 20, 2024 allowed prayers, similar to the instant writ petition.

6. Reliance is also placed by the learned Counsel for the petitioners on an order of a Co-ordinate Bench of this Court dated May 16, 2024 passed in WPA 10630 of 2024, in support of the arguments that the petitioner is entitled to such “A” category pay scale with effect from the day after the last day of the PTI Examination in the year 2006, i.e. February, 2006.

7. It is, therefore, ordered that the petitioner shall be entitled to “A” category pay scale with effect from 2006 and as decided by the Division Bench and this Court.

8. Copies of the aforesaid order are kept with the record.

9. Let arrears of salary be paid to the petitioner within two months from date.

10. With the aforesaid observations, the instant writ petition shall stand disposed of.

11. There will be no order as to costs.

12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

