

19 26.07.2024
rkd Ct.18

W.P.A. 17867 of 2024

Suman Kalyan Maiti
-vs-
State of West Bengal & Ors.

Mr. Kanailal Samanta

....for the petitioner.

Mr. Supriyo Chattopadhyay,
Ms. Sayantanee Bhattacharya

....for the State.

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

The grievance of the petitioner is though he
is working as Headmaster of higher secondary
school with effect from 3rd March, 2010, 3%
additional incremental benefits have not been
sanctioned and released in his favour.

Mr. Samanta, learned advocate
representing the petitioner submits that petitioner
was initially appointed as an Assistant Teacher on
19th June, 1995 and subsequently appointed as
Headmaster on and from 3rd March, 2010.
Thereafter on transfer petitioner was appointed as
Headmaster of another school with effect from 1st
October, 2021.

It is also submitted before this Court that
both the schools, where petitioner was appointed

as Headmaster first from 3rd March, 2010 and subsequently from 1st October, 2021, are higher secondary schools. Therefore, it is contended that in view of the orders passed by the Hon'ble Court on this issue of sanctioning 3% additional incremental benefits to the Headmaster/Headmistress of higher secondary schools, petitioner is entitled to receive such incremental benefits.

A representation dated 15th April, 2024 has been made to the concerned State respondents for taking appropriate steps but till date State authorities have not acted on the said representation.

State respondents are represented by Mr. Chattopadhyay, learned Additional Government Pleader who submits that on giving direction upon the concerned District Inspector of Schools (S.E.), Purba Medinipur necessary steps shall be taken in accordance with law by passing appropriate order.

Having considered the submissions made on behalf of the parties, the writ petition stands disposed of directing the District Inspector of Schools (S.E.), Purba Medinipur being respondent no.4 to pass a reasoned order on the claim of the petitioner for grant of 3% additional incremental

benefits for manning the post of head of the institution in two different higher secondary schools within a period of eight weeks from the date of communication of this order.

Prior to taking decision opportunity of hearing shall be afforded to the petitioner or his representative.

While taking decision the respondent no.4 is required to take into consideration the orders passed by the Hon'ble High Court on the issue of sanctioning 3% additional incremental benefits in favour of the Headmaster/Headmistress of higher secondary schools.

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

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.)