

03 29.07.2024
rkd Ct.18

W.P.A. 18060 of 2024

Pabitra Kumar Barman

-vs-

The State of West Bengal & Ors.

Mr. Dube Banerjee

....for the petitioner.

Mr. Supriyo Chattopadhyaya,
Ms. Sayantanee Bhattacharjee

....for the State.

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

Petitioner has come up with the present
writ petition claiming postgraduate scale of pay for
acquiring Master degree in English being his
relevant subject of teaching.

Petitioner joined the post of Assistant
Teacher on 11th November, 1999 and prior
permission was accorded by the concerned District
Inspector of Schools (S.E.), South 24 Parganas vide
memo dated 28th August, 2015 in favour of the
petitioner for being enrolled in higher course of
studies.

Subsequently, petitioner took admission
and completed M.A. course in English and the final
result of M.A. (English) examination was published
on 13th November, 2020. Petitioner claims

postgraduate scale of pay on the strength of the memo dated 28th August, 2015 issued by the concerned District Inspector of Schools permitting the petitioner to pursue higher course of studies.

State respondents are represented by Mr. Chattopadhyay, learned Additional Government Pleader who submits that it is true that the petitioner was granted prior permission vide memo dated 28th August, 2015 but since no formal decision has been taken by the State respondents appropriate direction may be passed for taking decision on the claim of the petitioner for sanction of higher scale of pay.

Having considered the submissions made on behalf of the parties, the writ petition stands disposed of directing the District Inspector of Schools (S.E.), South 24 Pargans being respondent no.3 to pass reasoned order on the claim of the petitioner to sanction postgraduate scale of pay by eight weeks from the date of communication of this order after granting opportunity of hearing to the petitioner and the school authority or their representatives.

The decision to be taken by the respondent no.3 shall be communicated to the petitioner by 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.)