

11.03.2024.
Court No. 13
Item No. 1
ap

W.P.A. No. 16569 of 2019

**Sri Prasanta Kumar Mondal
Versus
The State of West Bengal & Ors.**

Mr. Prosenjit Mukherjee.

...For the petitioner.

1. Despite service of notice, the respondents are not represented. Affidavit-of-service filed in Court today be taken on record.

2. The subject matter of the instant writ petition is a “A” Category Pay Scale to be given to the writ petitioner. A Co-ordinate Bench of this Court had recorded on 1st December, 2021 that the Appeal Committee of West Bengal Board of Primary Education shall allow “A” Category Pay Scale to the petitioner. Despite whereof, the same has not been released. The issue was however kept pending until disposal of M.A.T. No. 714 of 2000.

3. The said appeal 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 persons who complete their training qualifications for the year 2005-06 in the year 2011 are entitled to “A” Category Pay Scale since the delay in declaring their qualifications is not

attributable to them. No other reasons have been invited.

4. 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.

5. 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.

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

7. Reliance is also placed by the learned counsel for the petitioner on an order of a Co-ordinate bench of this Court dated January 6, 2023 passed in WPA 5801 of 2022, in support of the arguments that the petitioner is entitled to such “A” Category Pay Scale with effect from 2006.

8. With the aforesaid directions, the instant writ petition shall stand disposed of.

9. There will be no order as to costs.

10. 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.)

