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14.08.2024
Ct. No. 18
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W.P.A. 19420 of 2024

**Iti Pal
Vs.
The State of West Bengal & Ors.**

Mr. Kaustav Chandra Das
Mr. Sk. Sahjahan
...for the petitioner

Mr. Supriyo Chattopadhyay
Ms. Sayantanee Bhattacharjee
...for the State

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

Matter relates to sanction of postgraduate scale of pay in favour of the petitioner who obtained postgraduate degree in Education.

During course of hearing learned advocate representing the petitioner submits that prior permission was duly granted by the concerned District Inspector of Schools (SE), Malda vide a memo dated 17th August, 2016 permitting the petitioner to enroll her name in higher course of studies for obtaining postgraduate qualification in the relevant subject of teaching without hampering petitioner's normal work load as an assistant teacher.

It is also submitted that after acquiring postgraduate qualification petitioner approached the school authority where petitioner is presently serving for sanction of postgraduate scale of pay. The school authority in its turn

forwarded the proposal for sanction of postgraduate scale of pay along with all necessary documents to the office of the respondent no. 4 for taking decision. The grievance of the petitioner is in spite of forwarding proposal by the school authority twice first on 20th February, 2021 and subsequently on 7th July, 2022 till date the said respondent no. 4 has not taken any decision.

State-respondents are represented by Mr. Supriyo Chattopadhyay, learned Additional Government Pleader who submits that if direction is given upon the respondent no.4 decision shall be taken in accordance with law.

Having considered the submissions made on behalf of the parties writ petition stands disposed of directing the respondent no. 4 to decide entitlement of the petitioner to receive postgraduate scale of pay by passing reasoned order by 4 (four) weeks from the date of communication of this order after granting opportunity of hearing to the petitioner or her representative as well as the school authority. The decision to be taken by the respondent no. 4 shall be communicated to the petitioner by 1 (one) week thereafter.

If decision is taken based on the prior permission granted by the respondent no. 4 to undergo postgraduate course in favour of the petitioner consequential steps shall be taken expeditiously for sanction of postgraduate scale of pay.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)