

19.08.2024
rc/ct.no.18
Item No.13

WPA No. 19730 of 2024
Jatindranath Tudu
Versus
The State of West Bengal & Ors.

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

Mr. Swapan Kumar Dutta
Mr. Dipankar Das Gupta ... for the State

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

The petitioner claims post graduate scale of pay for acquiring higher qualification in the relevant subject of teaching.

Learned Advocate appearing for the petitioner submits that the petitioner was appointed as an Assistant Teacher in Sanskrit with effect from September 01, 2009 and was allowed honours graduate scale of pay after joining to the post of Assistant Teacher. The petitioner acquired higher qualification in Sanskrit from Burdwan University which according to the petitioner makes him entitled to claim post graduate scale of pay. Notice of this Court has been drawn to a letter dated March 16, 2020 by the learned Advocate for the petitioner wherefrom it appears that Headmaster of the school of the petitioner vide a letter dated March 16, 2020 forwarded the prayer of the petitioner to the concerned District Inspector of Schools (S.E.), Purba Burdwan, being the respondent no.

3, for taking necessary steps but till date, according to the petitioner, no steps have been taken.

State respondents are represented by Mr. Swapan Kumar Dutta, learned Senior Advocate, who submits that since the matter is already sent to the concerned State respondent, the said authority may be directed to take appropriate decision in accordance with law.

Having considered the submissions made by the learned counsel appearing on behalf of both the parties the writ petition stands disposed of directing respondent no. 3 to decide the claim of the petitioner for sanctioning post graduate scale of pay by 8 weeks from the date of communication of this order and a reasoned order shall be passed. Before taking decision the petitioner shall be afforded opportunity of being heard. The decision taken by the respondent no. 3 shall be communicated to the petitioner by one week thereafter.

Since no affidavit is called for the allegations contained in the writ petition are deemed not to have been admitted.

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 usual undertakings.

(Saugata Bhattacharyya,J)