

03.09.2024.  
PB  
Sl. No.49.

**In The High Court At Calcutta  
Constitution Writ Jurisdiction  
Appellate Side**

**WPA 20901 of 2024**

Kutuboddin Shaikh & Ors.  
Vs  
The State of West Bengal & Ors.

Mr. Anisur Rahman.  
.....for the petitioner.

Mr. B. P. Vaisya,  
Mr. Gourav Das.  
.....for the DPSC.

Mr. Abhijit Sarkar,  
Mr. Abhishek Banerjee.  
.....for the State.

Affidavit-of-service filed in Court today is  
taken on record.

The petitioners undertook D.El.Ed.  
Training Course (ODL Mode) in the Session  
2017-2019 from N.I.O.S. They seek 'A'  
category scale of pay.  
According to the schedule of examination it  
appears that 16<sup>th</sup> of March, 2019 was the last  
date of the examination.

As per the Notification dated 4<sup>th</sup> March,  
2013 of the Joint Secretary, Education  
Department, Elementary Education Branch,  
in-service teachers are allowed 'A' category  
scale of pay from the date of attainment of

such qualification. The final result of the training course was published on 22<sup>nd</sup> May, 2019.

According to the petitioners, they ought to get 'A' category scale of pay on and from the next date of conclusion of the training course and not from the date of publication of the result of the training.

The issue in question as to whether the higher scale would be paid on and from the next date of conclusion of the examination or from the date of declaration of the result of training has already been decided by this Court in WPA 16023 of 2024 (Dhiraj Kumar Singh & Ors. -vs- The State of West Bengal & Ors.) wherein vide order dated 19<sup>th</sup> July, 2024 the Court directed the respondent authorities to pay 'A' category scale of pay to the petitioners on and from the next date of conclusion of their training examination.

In line with the order mentioned hereinabove, the instant writ petition is disposed of by directing the respondent authorities to pay 'A' category scale of pay to the petitioners on and from 17<sup>th</sup> March, 2019 i.e. the next date of conclusion of their training examination on 16<sup>th</sup> March, 2019.

All arrears of the petitioners shall be positively disbursed within a period of twelve weeks from the date of communication of this order.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

**(Amrita Sinha, J.)**