

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

19. 09. 2024

KB
SL. 13
Court No. 14

WPA 21007 of 2024

Sanjita Karmakar
Vs.
The State of West Bengal & Ors.

Mr. Dibyendu Chatterjee
Mr. Pritam Majumdar
Mr. Rahul Deb Goenka
Ms. Satabdi Das
..for the petitioner

Mr. Ratul Biswas.
Mr. Kaushik Chowdhury.
..for the WBBPE.

The petitioner is a primary school teacher in the District of Howrah. She possesses B.Ed. qualification. She seeks 'A' category scale of pay.

Reliance has been placed on the judgment passed by the Hon'ble Division Bench on 30th July, 2024 in MAT 1038 of 2024 with CAN 1 of 2024, CAN 2 of 2024 and CAN 3 of 2024 in the matter of **Waliur Rahaman and others Vs. The State of West Bengal and others.**

The petitioner asserts that she is similarly situated as that of the appellants in the aforesaid appeal and the order passed by the Hon'ble Division Bench ought to be made applicable in her case.

The Hon'ble Division Bench observed that there are several candidates who were getting 'A' category scale of pay despite not having undergone the six months' bridge course. In fact the petitioners have also not undergone bridge course as the said course is yet to be formulated by NCTE.

The Hon'ble Division Bench directed that the candidates should be provided 'A' category scale of pay in the same manner as provided to the other teachers. The Court directed the authority to take an independent decision in granting the said scale of pay from the date on which each of the appellants are entitled to.

In line with the judgment passed by the Hon'ble Division Bench the Commissioner of School Education is directed to take a decision with regard to the prayer of the petitioner for granting 'A' category scale of pay in the light of the judgment delivered in the matter of Waliur Rahaman (supra). A decision shall be taken in the matter at the earliest but positively within twelve weeks from the date of communication of this order.

If the petitioner is found entitled to receive the 'A' category scale of pay, then necessary consequential steps shall be taken in the matter immediately thereafter.

Learned advocate representing the petitioner is directed to forward the documents of the petitioner

relying on which 'A' category scale of pay has been sought for along with a copy of the judgment passed in the matter of Waliur Rahaman (supra) to the aforesaid respondent at the time of communicating the order of the Court.

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.)