

04.09.2024
Ct. No. 14
Sl. No.56
KB

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA No. 21183 of 2024

**Dhruba Kumar Jana & Ors.
-Vs-
The State of West Bengal & Ors.**

Mr. Pratik Dhar
Ms. Sakhawat Khandavan
Mr. Shounak Ghosh
Ms. Swati Jha
Mr. Ankan Mondal
... For the petitioners.

Ms. Tapati Samanta
... For the State.

Mr. Ratul Biswas
... For DPSC, Howrah.

The petitioners are primary school teachers. They acquired the qualification of B.Ed. They seek 'A' category scale of pay similar to the teachers who secured D.El.Ed. qualification.

Reliance has been placed on the judgment passed on 30th July, 2024 by the Hon'ble Division Bench of this Court in MAT 1038 of 2024 with CAN 1, 2 and 3 of 2024 (Waliur Rahaman & Ors. vs. The State of West Bengal & Ors.) and the order dated 30th July, 2024 passed by the Hon'ble Division Bench in MAT 1298 of 2024 with IA No. CAN 1, 2 and 3 of 2024

(Badrinath Pal and Ors. Vs. The State of West Bengal & Ors.)

It has been submitted that the writ petitioners lie in the same footing as that of the appellants in the matter of Waliur Rahaman (supra) and Badrinath Pal (supra).

The Hon'ble Division Bench was pleased to direct the respondents to provide 'A' category scale of pay to the candidates.

The petitioners seek similar relief.

A detailed legal representation has been filed before the respondent authorities in August, 2024 and the same is pending consideration.

Without entering into the merit of the prayer of the petitioners, the instant writ petition is disposed of by directing the respondent no.2, Additional Secretary, Elementary Education to take a decision on the prayer of the petitioners in the light of the decision passed by the Hon'ble Division Bench as mentioned hereinabove.

A decision shall be taken by the aforesaid respondent at the earliest but positively within a period of twelve weeks from the date of communication of this order.

A reasoned order shall be passed and communicated to the petitioners immediately thereafter.

If the petitioners are found entitled to receive the benefit as sought for, then consequential steps shall be taken in the matter.

Be it recorded that the instant writ petition has been filed by 274 litigants by depositing only one court fees.

Learned advocate on record of the petitioners is given liberty to submit the deficit court fees by 10th September, 2024.

In the event deficit court fees is not paid by the said date, the direction passed hereinabove shall be restricted only in respect of the petitioner no.1 and the writ petition shall be deemed to be dismissed in respect of the others.

Learned advocate for the petitioners is directed to forward a copy of the legal representation dated 8th August, 2024 along with all documents in support of the prayer to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)