

DL - 12
10.09.2024
Ct No. 18
S.D

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 21733 of 2024

Debangshu Sekhar Nayek & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Soumen Kumar Dutta
Mr. Subham Dutta
Mr. Sk. Sayan Uddin
... for the petitioners.

Mr. Dipanjan Datta
Mr. Raj Sekhar Basu
..for the State.

The writ petition is taken up for consideration in presence of the learned advocate representing the parties.

Mr. Dutta, learned advocate representing the petitioners submits that pursuant to the order dated 3rd September, 2024 deficit court fee in connection with seven petitioners has been put in and in support of the same, documents have been filed today and the same is taken on record.

The matter relates to granting of 3% additional increment in favour of the petitioners who are presently working as Headmaster in different Higher Secondary Schools. There are eight petitioners who have approached this court together.

During the course of hearing, the learned advocate appearing on behalf of the petitioners has relied upon the judgement of a co-ordinate Bench dated 20th March, 2024 passed on a writ petition WPA 15523 of 2019(MD. Kabir & Ors. –vs- State of West Bengal and Ors.)

According to the petitioners, the issue has been set at rest by the co-ordinate Bench by giving necessary directions with regard to sanctioning of 3% additional increments in favour of the incumbents who are manning the posts of Headmaster in a government aided recognized Higher Secondary Schools.

State respondents are represented by Mr. Dipanjan Datta, learned advocate who submits that the issue may be relegated to the Joint Secretary, School Education Department, Government of West Bengal for taking decision based on the observations made by the co-ordinate Bench in the judgement dated 20th March, 2024.

Having considered the submissions made on behalf of the parties, the writ petition stands disposed of directing the Joint Secretary, School Education Department, Government of West Bengal to decide the claim of the petitioners relating to

grant of 3% additional increment for manning the post of Headmaster in government recognized aided higher secondary schools by twelve weeks from the date of communication of this order after granting opportunity of hearing to one of the representatives of the petitioners.

The reasoned decision shall be passed by the Joint Secretary, School Education Department, Government of West Bengal and the same shall be communicated to the petitioners by one week thereafter.

While taking decision the Joint Secretary, School Education Department shall rely upon the observations made by the co-ordinate Bench in the judgement dated 20th March, 2024 passed in the writ petition being WPA 15523 of 2019.

Leave is granted to the learned advocate representing the petitioners to amend the cause title of the writ petition and add the Joint Secretary, School Education Department, Govt. of West Bengal as additional respondent in course of this day.

However, service of notice upon the additional respondent stands dispensed with since the state respondents are represented by learned advocate.

With the above observations, the writ petition being WPA 21733 of 2024 is disposed of.

There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)