

ML - 104
02.12.2024
Court No. **25**
D.Hira

WPA 25107 of 2017

Maharul Saikh
Vs.
State of West Bengal & Ors.

Md. Manuwar Ali,
Ms. Moumita Karmakar.
... for the petitioner

- 1.** Md. Manuwar Ali, learned counsel appearing for the petitioner intends to add the Additional District Inspector of Schools, Secondary Education, Kandi, Murshidabad, to be a party respondent in this case.
- 2.** Leave is granted. Let necessary amendment in the cause title of the writ petition be effected by Md. Manuwar Ali, learned counsel appearing for the petitioner, by incorporating the Additional District Inspector of Schools, Secondary Education, Kandi, Murshidabad as party respondent in this case.
- 3.** None appears for the State in spite of service of notice.
- 4.** The petitioner claims higher pay scale pursuant to his Master Degree qualification.
- 5.** Md. Manuwar Ali, learned counsel for the petitioner has submitted that the petitioner joined in service initially on May 2, 2005. Immediately thereafter, he enrolled himself for Master's Degree, pursuant to the approval granted by the school authority to that effect.
- 6.** Later on, he has qualified in the Master's Degree and became eligible for grant of higher pay scale, pursuant to enhancement of qualification.

7. Mr. Ali, informs the Court that some development subsequent to filing of this writ petition has happened, that is, the writ petitioner has been appointed as the Headmaster with effect from December 24, 2021.
8. Also that, since after appointed as a Headmaster on the said date, the petitioner has been granted the higher pay scale meant for a Post Graduate teacher.
9. Mr. Ali for the petitioner has sought leave of the Court to file a fresh representation before the Additional District Inspector of Schools, Secondary Education, Kandi, Murshidabad, informing about the subsequent development and reiterating his prayer for grant of higher pay scale by referring to such subsequent development.
10. Leave is granted. Let the petitioner file a comprehensive representation before the Additional District Inspector of Schools, Secondary Education, Kandi, Murshidabad, by enclosing all relevant and connected documents therewith.
11. Let the said Additional District Inspector of Schools, Secondary Education, Kandi, Murshidabad consider and dispose of petitioner's prayer as made in such representation, by dint a reasoned order and after granting an opportunity of hearing to the petitioner.
12. Let the entire exercise be concluded by him within a period of four weeks from the date of communication of copy of this order.
13. Since no affidavit is invited, the allegations contained in the petition are deemed to have been denied by the respondents including the private respondents.

- 14.** This writ petition being WPA No. 25107 of 2017 is disposed of, along with the pending applications, if any.
- 15.** Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)