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Ct. 18
01.05.2024

W.P.A. 24659 of 2023

Mita Sarkar
Vs.
The State of West Bengal & Ors.

Mr. Sakti Pada Jana,
Mr. Subhajyoti Das ... For the petitioner.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee ... For the State.

Affidavit of service filed on behalf of the petitioner be kept with the record.

The petitioner is an Assistant Teacher at Jaladi Kumari Debi Uchcha Balika Vidyalaya (H.S.), District – Paschim Bardhaman of the subject Political Science (Hons.).

The representation of the learned advocate for the petitioner dated October 03, 2023 for higher scale of pay on enhancement of qualification of the petitioner in the relevant subject is pending consideration before the District Inspector of Schools (S.E.), Paschim Bardhaman at Asansol, the respondent no. 3 herein for a long time. The said representation forms part of the writ petition being Annexure-“P₄’.

The petitioner is praying disposal of the said representation.

Mr. Jana, learned advocate appearing on behalf of the petitioner submits that the petitioner was pursuing her higher studies before joining the service, as such no opportunity to take prior permission arose, moreover, in terms of the different judgments of this Court, particularly,

the judgments of the Division Bench and the Special Bench of this Court, there is no plausible reason to deny the prayer of the petitioner.

Be that as it may, the representation since is pending before the respondent no. 3, the said respondent is directed to dispose of the said representation in accordance with law as expeditiously as possible preferably, within a period of eight weeks from the date of communication of this order, and if necessary, after giving the petitioner an opportunity of hearing.

The petitioner is obliged to place all relevant judgments of this Court on the subject before the respondent no. 3 at the time of hearing of the said representation.

W.P.A. 24659 of 2023 is disposed with the above terms without any order as to costs.

Since no affidavit-in-opposition has been invited, the allegations made in the writ petition are deemed to have denied by the respondents.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)