

16.05.2024
(D/L 150)
Ct.-18
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 27558 of 2023

Pashupati Mandal
-Vs-
The State of West Bengal & Ors.

Mr. Kaustav Chandra Das,
Mr. Sk. Sahjahan Ali,
.... For the Petitioner.

Mr. Supriyo Chattopadhyay, Ld. AGP,
Ms. Sayantanee Bhattacharjee,
.... For the State.

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

The petitioner was initially appointed as an Assistant
Teacher at Shibnagar High School, District-Murshidabad,
thereafter on transfer, he joined at Sagar Mahamuni Kapil
Vidyamandir High School, District – South 24-Parganas.

The representation of the petitioner dated March 20,
2019 for higher scale of pay on enhancement of his
qualification in the relevant subject is long pending before the
District Inspector of Schools (S.E.), Murshidabad, the
respondent no. 3 herein.

The petitioner is praying immediate disposal of the
said representation.

Mr. Das, learned advocate for the petitioner submits
that the Managing Committee of the school by a resolution
dated March 20, 2013 had permitted the petitioner to pursue
his higher studies and had forwarded the said resolution to the
respondent no. 3, but the said resolution was not attended to,
he however prays that the respondent no. 3 may be directed to

consider the said resolution at the time of disposal of the said representation.

He further submits that in view of different judgments of this court, the right of the petitioner to get such higher scale of pay stands crystallized.

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

To facilitate the said consideration, the District Inspector of Schools (S.E), District-24-Parganas (South), the respondent no. 4 herein, under whose jurisdiction the petitioner is presently working, shall send all the relevant documents to the respondent no.3 within a period of two weeks from date.

The petitioner is obliged to place all the relevant judgments/rules on the subject before the said respondent.

W.P.A. 27558 of 2023 is thus disposed of 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 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.)