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04.10.2024
Court No. 2
AGM

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

WPA 2070 of 2024

Ashraful Haque Bepari
Vs.
The State of West Bengal & Ors.

Mr. Ekramul Bari
Sk. Imtiaz Uddin
Ms. Rinka Chakraborty.
... for the Petitioner.

Mr. Subir Kumar Saha. AGP
Mr. Pradip Sarkar.
... For the State.

1. The petitioner's appointment as Drawing & Physical Education Teacher (Part Time) stood approved by the Director of Mass Education Extension vide memorandum dated 28th December, 2022.

2. The petitioner relies upon the staff pattern of the special schools for the disabled students and submits that as the petitioner is serving as a regular teacher, he ought not to be treated as a part time teacher. He ought to be brought within the regular pay band and should be paid the regular grade pay.

3. The petitioner has made a written representation before the Director of Mass Education in April 2023. The same is pending consideration till date.

4. Without entering into the merit of the claim of the petitioner as it appears that his prayer is pending consideration before the Director of Mass Education, the instant writ petition is disposed of by directing the Director of Mass Education to consider the prayer of the

petitioner in accordance with law after giving a reasonable opportunity of hearing to the petitioner and dispose of the same by passing a reasoned order.

5. A decision shall be taken in the matter at the earliest but positively within a period of ninety days from the date of communication of this order.

6. Learned advocate for the petitioner is directed to forward a copy of all documents in support of his claim to the aforesaid respondent at the time of communicating the order of the Court.

7. The writ petition stands disposed of.

8. Urgent certified photocopy of this order, if applied for, be supplied to the parties upon compliance of usual legal formalities.

(Amrita Sinha, J.)