

04.10.2024
Court No.2
Sl. No.25
KB

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction

W.P.A 2184 of 2024

Rekha Chhetri
-versus
The State of West Bengal & Ors.

Mr. Ajay Singhal
...For the Petitioner.

Mr. Nabankur Paul
Ms. Pratusha Dutta Choudhury
... For State.

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner is aggrieved by the order passed by the Deputy Director, DPPG, Uttarkanya dated 25th November, 2020 by holding that she is not entitled to 'A' category scale of pay. Direction was passed by the District Inspector of Schools to process the pension case of the petitioner by treating her as 'B' category teacher.
3. The petitioner was directed to refund the amount which was allegedly overdrawn by her on account of receiving 'A' category scale of pay.
4. Though the impugned was passed in November, 2020 but the same is yet to be given effect to. The

petitioner is still receiving her pensionary dues in the 'A' category scale of pay.

5. Reliance has been placed on the order passed by the Hon'ble Division Bench on 5th January, 2024 in a series of appeals first of which is ***MAT 107 of 2022 with IA No. CAN 1 of 2022 (Sunil Tudu Vs. State of West Bengal & Ors.)*** wherein the Court held that the teacher would be entitled to receive 'A' category scale of pay.
6. As the petitioner will be legally entitled to receive 'A' category benefit, accordingly, the impugned order dated 25th November, 2020 is set aside. The authority shall continue to disburse dues of the petitioner in 'A' category scale.
7. The writ petition stands disposed of.
8. Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)