

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
(Appellate Side)

PRESENT :

Hon'ble Justice Saugata Bhattacharyya

W.P.A. 1524 OF 2025

ANANDA RAM KOLEY

VS.

THE STATE OF WEST BENGAL & OTHERS

For the Petitioner : Mr. A.K. Lahiri, Adv.

For the State : Mr. Biswabrata Basu Mallick, AGP
Ms. Parna Roy Choudhury, Adv.

For the Respondent
No. 2 : Mr. Debashis Banerjee, Adv.

For the Respondent
No. 3 : Mr. Debjit Mukherjee, Adv.
Ms. Priyanka Jana, Adv.

Hearing concluded on : 3rd November, 2025

Judgment on : 3rd November, 2025

Saugata Bhattacharyya, J.:

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. In the writ petition, *inter alia*, petitioner has questioned the order of the Principal Secretary, Judicial Department dated 21st October,

2024 whereby prayer of the petitioner to grant higher scale of pay in terms of Government circular dated 24th January, 2020 issued by the Secretary to the Government of West Bengal, Judicial Department from 25th June, 2019 was not allowed.

3. Learned advocate representing the petitioner submits that petitioner was appointed as Sheristadar of Civil Judge (Senior Division), Uluberia *vide* office order dated 31st May, 2019 and was functioning as Senior Sheristadar with effect from 25th June, 2019. It is further submitted that petitioner is entitled to enjoy revised pay scale i.e., scale no.14 in terms of the circular dated 24th January, 2020.
4. It is also contended that Principal Secretary, Judicial Department being respondent no.1 did not decide petitioner's entitlement to receive aforesaid revised pay scale which ought to have been decided in terms of the order dated 25th June, 2024 passed by a Co-ordinate Bench on a writ petition being WPA 12849 of 2024.
5. District Judge, Howrah being respondent no.3 is represented by learned advocate who has submitted that the exercise which was required to be carried out by the respondent no.1 was not done in terms of the order of the Co-ordinate Bench dated 25th June, 2024 and the issue remains undecided.

6. Mr. Basu Mallick, learned Additional Government Pleader representing State respondents reiterates the submissions made on behalf of the respondent no.3 and further contends that another opportunity may be given to the respondent no.1 to complete the exercise as it was required to be made in terms of the order of the Co-ordinate Bench dated 25th June, 2024.
7. Registrar General, High Court at Calcutta being respondent no.2 is represented by learned advocate.
8. On perusal of the relevant materials available on record and taking note of the submissions made on behalf of the parties it appears issue is whether petitioner is entitled to receive revised pay scale no.14 with effect from the date when petitioner commenced functioning as Senior Sheristadar or not.
9. On perusal of the impugned order of the respondent no.1 dated 21st October, 2024 it transpires that respondent no.1 did not decide the said issue in view of steps taken by the respondent no.3 in granting revised benefits to the petitioner from April, 2023. However, order of the Co-ordinate Bench dated 25th June, 2024 specifically directed the respondent no.1 to decide said issue expeditiously in view of superannuation of the petitioner on 31st January, 2025. Nowhere in the said order dated 25th June, 2024 Co-ordinate Bench restricted scope of adjudication of the

respondent no.1 in the event any decision is taken by the respondent no.3.

10. In view of aforesaid discussion, order of the respondent no.1 dated 21st October, 2024 is set aside and said respondent no.1 is directed to revisit the issue whether petitioner is entitled to receive revised scale of pay (Scale No.14) with effect from the date of discharging duty as Senior Sheristadar or not, within a period of four (4) weeks from the date of communication of this order. Reasoned order shall be passed after granting opportunity of hearing to the petitioner, respondent no.3 or their representatives.
11. In the event, it is decided that petitioner is entitled to receive scale no.14 from an earlier date, consequential steps shall be taken immediately thereafter in order to extend benefits of such revised scale in favour of the petitioner. Such decision would also entail consolidation of retiral dues and pension of the petitioner.
12. With the above observations and directions writ petition stands disposed of.
13. Urgent photostat certified copy of the order, if applied for, be given to the parties upon usual undertakings.

(Saugata Bhattacharyya, J.)_