

19.02.2025
Court No. 18
Item No. 12
(**Suvendu**)

WPA 2402 of 2025

Kalyan Prasad Mahato
-Versus-

The State of West Bengal & Ors.

Mr. Sakti Pada Jana
Mr. Subhajyoti Das
Mrs. Sudipta Pramanik
.....for the petitioner

Mr. Amit Gupta
.....for the State

Affidavit of service filed on behalf of the
petitioner is taken on record.

Petitioner is a retired Headmaster of a
Government aided higher secondary school who
retired on superannuation on 30th November,
2024. Since petitioner manned the post of
Headmaster in higher secondary school prayer is
made in this writ petition for sanction of 3%
additional increment.

It is also submitted on behalf of the
petitioner that issue has already been decided by
a Coordinate Bench on a writ petition being **WPA**
17960 of 2019 (Ashis Kumar Sarkar & Ors.
Vs. State of West Bengal & Ors.) vide judgment
dated 7th May, 2024.

State respondents are represented by learned advocate who submits that issue is pending before the Commissioner of School Education, West Bengal and in this regard attention of this Court has been drawn to a letter of the District Inspector of Schools (SE), Purulia dated 3rd June, 2015 addressed to the Commissioner of School Education, West Bengal, which is at page 50 of the writ petition.

Having considered the respective submissions made on behalf of the parties, writ petition stands disposed of directing the Commissioner of School Education, West Bengal being respondent no. 2 to decide entitlement of petitioner to receive 3% additional increment for manning the post of Headmaster in a higher secondary school till the date of his superannuation on 30th November, 2024 by passing a reasoned order within a period of twelve weeks from the date of communication of this order. Petitioner shall be granted opportunity of hearing before taking such decision. The decision to be taken by respondent no. 2 shall be communicated to the petitioner by ten days thereafter. While taking such decision, respondent no.2 shall follow the ratio of **Ashis Kumar Sarkar** (supra).

There shall be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)