

04.03.2025
Court No. 18
Item No. 18
(Suvendu)

WPA 3692 of 2025

Amitava Nath
-Versus-

State of West Bengal & Ors.

Mr. Biswarup Biswas
Ms. Nupur Choudhuri
.....for the petitioner

Mr. Dipanjan Datta
Mr. Sayan Datta
...for the State

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

Petitioner by presenting this writ petition,
inter alia, has prayed for sanction of 3%
additional increment for manning the post of
Headmaster in Higher Secondary school.

Mr. Biswas, learned advocate representing
the petitioner has relied upon the judgment of
the Hon'ble Division Bench passed on an intra-
court appeal being **MAT 1002 of 2022 (The
State of West Bengal & Anr. Vs. Sri Kali
Sadhan Bhattacharjee @ Bhattacharyya &
Ors.)**. He also relied upon a Judgment dated
15th January, 2024 passed by a Coordinate
Bench on the writ petition being **WPA 6217 of
2021 (Subir Kumar Ghosh Vs. The State of
West Bengal & Ors.)**.

State respondents are represented by learned advocate.

Having considered the issue involved in this writ petition, this Court finds that no useful purpose would be subserved in keeping this writ petition pending.

It is found on perusal of the writ petition that a representation has been made before the Commissioner of School Education, West Bengal, being respondent no.3 on 30th December, 2024 and same is pending.

Respondent no. 3 is directed to decide the claim of the petitioner for sanction of 3% additional increment for manning the post of Headmaster in a Government aided Higher Secondary school and a reasoned order shall be passed after granting opportunity of hearing to the petitioner or his representative by twelve weeks from the date of communication of this order. The decision to be taken by respondent no. 3 shall be communicated to the petitioner by ten days thereafter. While taking such decision, respondent no.3 shall follow the ratio of **Sri Kali Sadhan Bhattacharjee** (supra) as decided by the Hon'ble Division Bench vide judgment dated 3rd December, 2024 and the ratio of **Subir Kumar Ghosh** (supra) as decided by a

Coordinate Bench vide judgment dated 15th January, 2024.

Writ petition stands disposed of, without any 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.)