

WPA 4160 of 2020

15.5.2025

Palash Kumar Parya. -vs- The State of West Bengal & Ors.

Ct.25,sl.s 86
sk

Mr. Sourav Mitra
Ms. Sreyasree Choudhury
...for the petitioner.

Mr. Swapan Kr. Datta
Mr. Tapas Kr. Mandal
...for the State.

1. The prayer of the petitioner for grant of higher pay scale has been referred for consideration to the Director of School Education, West Bengal, now Commissioner of West Bengal, by the Additional District Inspector of Schools (SE), Ghatal, Paschim Medinipur, vide his letter dated November 3, 2008.
2. The fact remains that the petitioner having been appointed as the Honours Graduate Teacher in the School. He has concluded his M.Sc Part-II examination after joining his service. The Part-I examination in the M.Sc Course was undergone by him before he has joined in service.
3. In such circumstances, after being qualified in M.Sc,the petitioner has sought for grant of higher pay scale to him.
4. The issues involved in the case have now been decided by the judgment delivered by the Hon'ble Larger Bench of this Court in the case of (Utpal Kanti Karan-vs- State of West Bengal 2024 SCC

Online Cal 1274). Let the relevant portions thereof be quoted as hereinbelow:-

“273(g)-If a teacher has partially completed higher study before entering service he/she would come under purview of G.O. No. 1595-SE(S) dated 26th December, 2005 and the question of taking permission from DIS-SE concerned would not arise”.

5. Let this writ petition be disposed of with the direction that the Commissioner of School Education (SE), West Bengal should immediately dispose of the query raised by the Additional District Inspector of Schools (SE), Ghatal, Paschim Medinipur vide letter dated November 3, 2008, in the light of the judgment of the Hon'ble Larger Bench as mentioned above and the law settled thereby.
6. Let the exercise as above be concluded within a period of three weeks from the date of communication of copy of this order and if necessary, after granting opportunity of hearing to the petitioner.
7. Let it be mentioned that in the event, the petitioner fulfils the necessary criteria and the authority is of the opinion that higher pay scale may be granted to him, necessary follow up steps should be taken immediately thereafter.

12. With the above observations and directions the writ petition being WPA 4160 of 2020 is disposed of.

13. Since no affidavit is invited, the allegations contained in the petition are deemed to have been denied by the respondents including the private respondents.

14. Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)