

08.

21.03.2025
Ct. No. 18
(KAUSHIK)

W.P.A. 5578 of 2025

**Md. Imran
Vs.
The State of West Bengal & Ors.**

Mr. K. C. Das
Mr. Sk. Sahjahan Ali

...for the Petitioner

Mr. Manoj Kumar Mondal

...for the State

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

Petitioner prays for sanction of post graduate scale of pay for acquiring higher qualification in the relevant subject of teaching.

Learned advocate representing the petitioner submits that at the time of his appointment, on 1st October, 2007 as an Assistant Teacher in Bengali in the school, he was undergoing higher course of study and obtained post graduate qualification in Bengali from Netaji Subhas Open University in 2010.

It is submitted that petitioner is entitled to receive post graduate scale of pay in terms of the ratio decided by the Hon'ble Division Bench in *MAT 825 of 2020 (Adeel Uz Zaman vs. The State of West Bengal & Ors.)* on 11th February, 2021. It is also submitted that the ratio of Adeel Uz Zaman (supra) has been affirmed by

the Hon'ble Special Bench vide judgment dated 7th February, 2024 passed on batch of matters, first one was WPA 303 of 2023 (***Utpal Kanti Karan vs. State of West Bengal & Ors***).

It is contended that a representation has been preferred by the petitioner on 1st October, 2024 before the District Inspector of Schools (S.E.), Purba Bardhaman being respondent no. 3 and same is pending for consideration.

State respondents are represented by learned advocate, who has submitted since a representation is pending before the respondent no. 3, same needs to be decided in accordance with law.

Having considered the respective submissions made on behalf of the parties, writ petition stands disposed of by directing the District Inspector of Schools (S.E.), Purba Bardhaman being respondent no. 3 to decide the representation dated 1st October, 2024 by passing a reasoned order within a period of eight weeks from the date of communication of this order after granting opportunity of hearing of the petitioner or his representative.

While taking decision on sanction of post graduate scale of pay, the ratio decided in **Adeel Uz Zaman** (supra) and the judgment of the Hon'ble Special

Bench passed in ***Utpal Kanti Karan*** (*supra*) shall be followed.

The decision to be taken by respondent no. 3 shall be communicated to the petitioner by ten days thereafter.

However, there shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)