

25.08.2025
Court No. 18
Item No. 362 (ML)
(Suvendu)

WPA 6422 of 2024

Tufan Dolai
-Versus-

The State of West Bengal & Ors.

Mr. Subhajyoti Das
Ms. Suropta Pramanik
.....for the petitioner

Mr. Manas Kundu
.....for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner is an Assistant Teacher of Geography who was appointed on 1st April, 2004 and approval of appointment was accorded by the District Inspector of Schools (SE), Paschim Medinipur being respondent no. 3 vide memo dated 17th June, 2004 thereby sanctioning Honours graduate scale of pay in favour of the petitioner since petitioner was possessing Honours graduate degree in Geography. Subsequently petitioner enhanced qualification by acquiring post graduate degree in Geography from Vidyasagar University and result was

published on 30th August, 2011. Petitioner made an application to respondent no. 3 on 3rd March, 2020 seeking sanction of post graduate scale of pay. In addition thereto, school authority of Chaipat High School (HS), Paschim Medinipur vide letter dated 20th June, 2022 forwarded all necessary documents to respondent no. 3 for sanction of post graduate scale of pay in favour of the petitioner. Grievance of the petitioner is till date higher scale of pay has not been granted.

3. State respondents are represented by learned advocate who has opposed the prayer of the petitioner since prior permission was not accorded by respondent no. 3 in terms of Government Order dated 27th November, 2007 thereby permitting the petitioner to enroll his name for higher course of study.

4. Having considered the respective submissions made on behalf of the parties, respondent no. 3 is directed to take decision on the claim of the petitioner seeking sanction of post graduate scale of pay on acquiring higher qualification within a period of eight weeks from date of communication of this order. Respondent no. 3 shall pass a reasoned order

after granting opportunity of hearing to the petitioner and the school authority or their representatives.

5. While taking decision respondent no. 3 shall follow the ratio of the judgment dated 7th February, 2024 delivered by the Hon'ble Special Bench on a batch of writ petitions first one being **WPA 9921 of 2007 (Utpal Kanti Karan Vs. State of West Bengal & Ors.)**.

6. Writ petition stands disposed of.

7. There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)