

09.12.2025
Item no.D/L 15
Court No. 18
Sc

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 6526 of 2025**

In the matter of :

Biswarup Gupta

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner:

Mr. Sk. Sahjahan Ali

....Advocate

For the State:

**Mr. Wasim Ahmed
Sk. Md. Masud.**

....Advocates

1. The instruction dated 30th April, 2025 forwarded by the District Inspector of Schools (S.E.), Purba Bardhaman be retained with the records.
2. It appears that for consideration of the petitioner's prayer for grant of higher scale of pay, the District Inspector of Schools (S.E.), Purba Bardhaman relied upon the Government Order 593/SE(B) dated 27th November, 2007 mentioning that no permission will be accorded for acquiring higher qualification to teachers over 50 years of age.
3. Learned advocate for the petitioner submits that the petitioner is below 50 years of age for which the aforesaid Government Order cannot be made applicable in his case.
4. Be that as it may, the petitioner's prayer seeking higher scale of pay on account of enhancement of his educational qualification is

pending consideration before the District Inspector of Schools (S.E.),
Purba Bardhaman.

5. Without entering into the merit of the claim of the petitioner, the instant writ petition stands disposed of by directing the District Inspector of School (S.E.), Purba Bardhaman to take steps to consider the prayer of the petitioner for higher scale of pay in terms of the judgment passed by the Hon'ble Special Bench of this Court in the matter of **Utpal Kanti Karan –vs.- State of West Bengal & Ors., reported in 2024 SCC Online Cal 1274** at the earliest but positively within a period of twelve weeks from the date of communication of this order. A reasoned order shall be passed and communicated to the petitioner immediately thereafter.
6. If the prayer of the petitioner is allowed, then necessary consequential steps shall be taken by the authority without any further delay.
7. An opportunity of hearing shall be given to the petitioner for placing all documents in support of his enhanced qualification.
8. The writ petition stands disposed of.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)