

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

MI- 25.08.2025
406 Ct.18
rkd DO

W.P.A. 7561 of 2024

Dipanwita Pramanik

-vs-

The State of West Bengal & Ors.

Mr. Neil Basu,
Mr. Sankha Biswas

....for the petitioner.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee

....for the State.

1. Petitioner was appointed as Assistant Teacher possessing honours graduate degree in Mathematics on 10th March, 2006 and was sanctioned honours graduate scale of pay.
2. Subsequently, petitioner obtained postgraduate degree in Mathematics from Netaji Subhas Open University and in support of same "Statement of Marks" issued by the said University is relied upon which is at page 31 of the writ petition. Petitioner claims postgraduate scale of pay on the strength of higher qualification which she obtained from Netaji Subhas Open University.
3. It is also submitted that a representation dated 18th December, 2023 was preferred before the concerned State authorities claiming postgraduate scale of pay but same is yet to be decided.

4. State respondents are represented by learned advocate who has submitted that since representation is pending before the concerned State authorities, same may be decided in accordance with law.
5. Having considered the respective submissions made on behalf of the parties, writ petition stands disposed of directing the District Inspector of Schools (SE), Kolkata being respondent no.4 to decide the claim of the petitioner seeking sanction of postgraduate scale of pay based on acquiring postgraduate qualification in Mathematics within a period of eight weeks from the date of communication of this order.
6. Respondent no.4 shall pass a reasoned order after granting opportunity of hearing to the petitioner and the school authority or their representatives.
7. The order to be passed by the respondent no.4 shall be communicated to the petitioner by fortnight thereafter.
8. While taking decision respondent no.4 shall follow the ratio of the decision of the Hon'ble Special Bench dated 7th February, 2024 taken on a batch of matters first one being WPA 9921 of 2007 (*Utpal Kanti Karan v. State of West Bengal & Ors*).
9. However, there shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)