

W.P.A. 7753 of 2025

**Priyanath Chatterjee
Vs.
The State of West Bengal & Ors.**

Mr. Ashis Kumar Paul
...for the Petitioner

Petitioner has prayed for sanction of postgraduate scale of pay on consideration of the representation dated 10th December, 2024 which is addressed to District Inspector of Schools (SE) Paschim Bardhaman. In support of contention of the petitioner reliance is placed on the order of a coordinate Bench dated 4th June, 2015 passed on a previous writ petition being WPA 19104 of 2008. In the order passed by the coordinate Bench on 4th June, 2015 petitioner was directed to raise grievance within a period of 2 (two) weeks to be counted from the date of passing order but representation was preferred on 10th December, 2024. Prayer is made for consideration of such representation.

Notwithstanding preferring of representation on 10th December, 2024 it appears that petitioner was appointed as an Assistant

Teacher of Physical Education with effect from 26th March, 2001 and was sanctioned pass graduate scale of pay in consideration of petitioner's education qualification i.e. B.A.B.P.Ed. From the date of appointment with effect from 26th March, 2001 he was sanctioned pass graduate scale of pay in consideration of her qualification i.e. B.A.B.P.Ed. A teacher who is appointed in a post earmarked for a candidate having pass graduate qualification is not entitled to receive postgraduate scale of pay in terms of Section 14 of the West Bengal School (Control of Expenditure) Act, 2005.

Hence, no relief can be granted to the petitioner and the writ petition stands dismissed.

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

(Saugata Bhattacharyya, J.)