

22 25.04.2025
rkd Ct.18

W.P.A. 8005 of 2025

Nandita Seal

-vs-

The State of West Bengal & Ors.

Mr. Kamal Mishra,
Mr. Prtaap Sanfui

....for the petitioner.

Mr. Biman Halder

....for the State.

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

State respondents are represented by learned
advocate.

Petitioner has prayed for sanction of
postgraduate scale of pay due to obtaining
postgraduate degree in Political Science.

It is also contended on behalf of the petitioner
that necessary permission was accorded by the
concerned District Inspector of Schools (SE), South 24
Parganas vide memo dated 2nd March, 2020 thereby
permitting the petitioner to undergo higher course of
studies. Petitioner is also enjoying Hons. graduate
scale of pay from the date of her appointment with
effect from 2nd September, 2010.

Notice has also been drawn to page 46 of the
writ petition wherefrom it appears that concerned
District Inspector of Schools (SE), South 24 Parganas

vide memo date 23rd October, 2024 sought necessary instruction from the Commissioner of School Education, West Bengal. It is contended that there is no response from the Commissioner of School Education, West Bengal.

Since the issue is pending before the Commissioner of School Education being respondent no.2, said respondent no.2 is directed to decide the claim of the petitioner for sanction of postgraduate scale of pay by eight weeks from the date of communication of this order after granting opportunity of hearing to the petitioner or her representative.

Respondent no.2 shall also pass a reasoned order taking into consideration the judgment of the Hon'ble Special Bench dated 7th February, 2024 passed on a batch of matters first one being WPA 9921 of 2007 (*Utpal Kanti Karan v. State of West Bengal & Ors.*).

The decision to be taken by respondent no.2 shall be communicated to the petitioner by ten days thereafter.

The writ petition stands disposed of.

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

(Saugata Bhattacharyya, J.)