

57.
(DL)

28.04.2025
Ct. No. 18
(KAUSHIK)

W.P.A. 8518 OF 2025

**Bela Sarkar
Vs.
The State of West Bengal & Others**

Mr. Ali Ahasan Alamgir
Ms. Soma Mal
Ms. Rabia Khatoon

...for the Petitioner

Mr. Supriyo Chattopadhyay
Mr. Sabyasachi Mondal

...for the State

Mr. Avishek Prasad

...for D.P.S.C., Malda

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

By presenting this writ petition, petitioner has
claimed sanction of 'A' category scale of pay upon giving
credence to B.Ed. qualification, which petitioner is
possessing. In support of such contention, reliance is
placed on the judgment of the Hon'ble Division Bench
dated 30th July, 2024 passed on *intra-court* appeal being
***MAT 1038 of 2024 (Waliur Rahaman & Ors. vs. The
State of West Bengal & Ors.).***

It is submitted on behalf of the petitioner that
when similarly circumstanced other candidates who are
working as primary teachers are getting 'A' category scale

of pay in consideration of their B.Ed. qualification, why the petitioner will be deprived of 'A' category scale of pay.

State respondents are represented by learned advocate who has opposed the prayer of the petitioner since according to the State respondents for getting 'A' category scale of pay candidate is required to obtain D.EL.Ed. qualification or six months Bridge Course is to be completed to become eligible for receiving 'A' category scale of pay.

District Primary School Council, Malda are also represented by learned advocates.

Paragraph 13 of the order of the Hon'ble Division Bench dated 30th July, 2024 discloses a situation where similarly circumstanced candidates were sanctioned 'A' category scale of pay though they did not complete six months Bridge Course.

It is also apparent from the submissions made on behalf of the parties that modality of six months Bridge Course has not yet been formulated by the appropriate authority.

In view of aforesaid situation, petitioner is granted leave to make a representation to the Commissioner of School Education, West Bengal being respondent no.3 enclosing necessary documents by fortnight from date claiming 'A' category scale of pay. In

the event representation is made within the prescribed time before respondent no.3, same shall be decided, in accordance with law, by passing a reasoned order after granting opportunity of hearing to the petitioner or her representative within a period of twelve (12) weeks thereafter. Decision to be taken by respondent no.3 shall be communicated to the petitioner by ten (10) days thereafter.

Writ petition stands disposed of.

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)