

03.04.2025.

PB

Sl. No.40.

Ct. No.25.

WPA 10301 of 2021

Bhaskar Bhowmik

Vs.

The State of West Bengal & Ors.

Mr. Sakti Pada Jana,

Mr. Subhajyoti Das.

... For the Petitioner.

The petitioner seeks recourse under the ratio decided by the Hon'ble Larger Bench of this Court, in the judgment of Utpal Kanti Karan Vs. State of West Bengal & Ors. reported in 2024 SCC Online Cal 1274, for due consideration of his case by the respondent/District Inspector of Schools (SE), Nadia.

The fact remains that the petitioner, before entering into the service on 6th August, 2010, had enrolled himself for Master's Degree course. After joining and with due permission of the School Managing Committee as well as the West Bengal Board of Secondary Education, he has participated in the examinations and concluded his course with success. Thus, he has been qualified as a Master's Degree Category Teacher and writes to the Additional District Inspector of Schools (SE), Nadia, by dint of his letter dated 28th August, 2019, for issuance of pay scale

meant for post-graduate teachers to him. The same still remains unattended.

Mr. Jana, learned advocate appearing on behalf of the petitioner has submitted that in view of the settled law as per the decision of the Hon'ble Larger Bench as above, there shall not be any impediment in granting the commensurate post-graduate pay scale to the petitioner with effect from the stipulated date.

None appears for the State respondent in spite of service of notice. Hence, the matter is taken up for adjudication in absence of the State respondent.

Having heard the learned counsel for the writ petitioner and after perusal and consideration of the records, this writ petition is disposed of by directing the respondent/District Inspector of Schools (SE), Nadia, to duly consider the representation of the writ petitioner dated 28th August, 2019, in the light of the law settled, by dint of the judgment of the Hon'ble Larger Bench in the case of Utpal Kanti Karan (supra).

In doing so, the said respondent shall afford opportunity of hearing to the writ petitioner as well as if not the prayer of the petitioner is immediately allowed by him shall dispose it of by dint of a reasoned order. The entire exercise as above, should be concluded, within a period of three weeks from the date of communication of copy of this order.

The writ petition is disposed of.

Since no affidavit is called for in this case, the allegations made in the writ petition, are deemed to have been denied by the respondents.

Urgent certified copy of this order, if applied for, shall be supplied to the parties, upon compliance of all necessary formalities.

(Rai Chattopadhyay, J.)