

Item No.
39
21.3.25
S.D.

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side.**

WPA 10350 of 2021

**Mousumi Mukherjee
Vs.
State of West Bengal & Ors.**

***Mr. Ekramul Bari*
Sk. Imtiaj Uddin *For the Petitioner.***

***Mr. Supriyo Chottopadhyay*
Mr. Sabyasachi Mondal ... *For the State of West Bengal.***

The subject matter of the case is with relation to the petitioner's claim for higher pay scale pursuant to her higher qualification obtained after being inducted in service.

The petitioner was appointed in the year 2002. At the time of appointment, she had already enrolled herself in the masters degree course and completed Part-I examination. After having being inducted in service, she has completed Part -II examination with due permission of the School Managing Committee.

Thus, the petitioner's claim for grant of higher pay scale to her has emerged and she has placed her claim as above before the District Inspector of Schools (SE), Purulia by dint of her

letter dated May 20 of 2015. Allegedly the same has not received any attention by the said respondent authority as yet.

Learned advocate appearing for the petitioner has submitted that grant of higher pay scale pursuant to her higher qualification is an issue which is now well settled by dint of the Hon'ble Larger Bench's decision in the case of Utpal Kanti Karan Vs. State of West Bengal & Ors, reported in 2024 SCC On Line Cal. 1274.

Hence, he has insisted that necessary order be passed in this case allowing the petitioner the Post Graduate scale of pay.

The State is represented.

Having heard the learned counsels and having perused the documents on record, I find it proper to dispose of the present writ petition by directing the District inspector of Schools (SE), Purulia, to immediately consider and dispose of the petitioner's representation dated May 20, 2015, in the light of the judgement of the Hon'ble Larger Bench, in the case of Utpal Kanti Karan Vs. State of West Bengal & Ors.(Supra).

Let the said respondent, after affording an opportunity of hearing to the petitioner and any other person including the School Authority as it thinks fit and proper, dispose of the petitioner's

prayer by dint of her representation dated May 20, 2015, by issuing a reasoned order.

Let the entire exercise as above; be concluded by the said respondent within a period of four weeks from the date of communication of copy of this order.

With the direction as above, the present writ petition being WPA 10350 of 2021 is disposed of.

Since no affidavit is invited, the allegations contained in the petition are deemed to have been denied by the respondents including the private respondents.

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

(Rai Chattopadhyay, J.)