

21.05.2025
Court No. 18
Item No. 43
(Suvendu)

WPA 9445 of 2025

Nirmalendu Ghara
-Versus-

The State of West Bengal & Ors.

Mr. Kanailal Samanta
.....for the petitioner

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
...for the State

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

Petitioner by presenting this writ petition, *inter alia*, has prayed for sanction of 3% additional increment for manning the post of Headmaster in Higher Secondary school.

Learned advocate representing the petitioner has relied upon the judgment of the Hon'ble Division Bench passed on an intra-court appeal being **MAT 1002 of 2022 (The State of West Bengal & Anr. Vs. Sri Kali Sadhan Bhattacharjee @ Bhattacharyya & Ors.)**. He also relied upon a judgment dated 15th January, 2024 passed by a Coordinate Bench on a writ petition being **WPA 6217 of 2021 (Subir Kumar Ghosh Vs. The State of West Bengal & Ors.)**.

State respondents are represented by learned advocate.

Having considered the issue involved in this writ petition, this Court finds that no useful purpose would be subserved in keeping this writ petition pending.

It appears that petitioner has made a representation dated 12th March, 2025 addressed to the Commissioner of School Education, West Bengal being respondent no. 2 seeking sanction of 3% additional increment.

Respondent no. 2 is directed to consider and decide the representation of the petitioner by twelve weeks from date of communication of this order after granting opportunity of hearing to the petitioner or his representative. The decision to be taken by respondent no. 2 shall be communicated to the petitioner by ten days thereafter. While taking such decision, the Commissioner of School Education shall follow the ratio of **Sri Kali Sadhan Bhattacharjee** (supra) as decided by the Hon'ble Division Bench vide judgment dated 3rd December, 2024 and the ratio of **Subir Kumar Ghosh** (supra) as decided by the Coordinate Bench vide judgment dated 15th January, 2024.

Writ petition stands disposed of, without any order as to costs.

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

(Saugata Bhattacharyya, J.)