

48 21.05.2025
rkd Ct.18

W.P.A. 9466 of 2025

Dipak Kumar Samanta

-vs-

State of West Bengal & Ors.

Mr. Kanailal Samanta

....for the petitioner.

Mr. Malay Krishna De,
Mr. Chandan Kumar Mondal

....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 advocates.

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 25th 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 the 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.)