

40 06.05.2025
rkd Ct.18

W.P.A. 9552 of 2025

Biswajit Pal & Ors.
-vs-
The State of West Bengal & Ors.

Mr. Saunak Ghosh,
Mr. Sakhawat Khandakar,
Ms. Swati Jha

....for the petitioners.

Mr. Bhaskar Prasad Vaisya,

....for the State.

Mr. Kaushik Chowdhury

....for the DPSC, Howrah.

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

Petitioners have claimed sanction of “A” category
scale of pay but petitioners are working in different
primary schools. Therefore, joint petition by the
petitioners herein is not maintainable.

Writ petition in connection with petitioner no.4
who has affirmed affidavit is to be considered and
present writ petition is dismissed in connection with
rest of the petitioners.

However, this order shall not preclude other
petitioners barring petitioner no.4 to file separate
applications claiming identical relief.

By presenting this writ petition, petitioner no.4
has claimed sanction of “A” category scale of pay upon
giving credence to B.Ed. qualification which petitioner
no.4 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 1038/2024 (Waliur Rahaman & Ors. Vs. The State of West Bengal & Ors.)**.

It is submitted on behalf of the petitioner no.4 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 no.4 will be deprived of “A” category scale of pay.

State respondents are represented by learned advocate who has opposed the prayer of the petitioner no.4 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.

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 no.4 is granted leave to make a representation to the

Commissioner of School Education, West Bengal enclosing necessary documents by fortnight from date claiming "A" category scale of pay. In the event representation is made within the prescribed time before the Commissioner of School Education, same shall be decided in accordance with law by passing a reasoned order after granting opportunity of hearing to the petitioner no.4 or her representative within a period of twelve weeks thereafter. Decision to be taken by the Commissioner of School Education shall be communicated to the petitioner no.4 by ten days thereafter.

Writ petition stands disposed of.

There shall be, however, no 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.)