

15 22.05.2025
rkd Ct.18

W.P.A. 9645 of 2025

Uttam Halder

-vs-

State of West Bengal & Ors.

Mr. Biswarup Biswas,
Mr. Pradip Kumar Ghosh,
Ms. Nupur Chaudhuri

....for the petitioner.

Mr. S. P. Lahiri,
Mr. Subhasri 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.

Mr. Biswas, 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 is found on perusal of the writ petition that a representation has been made before the Commissioner of School Education, West Bengal, being respondent no.3 on 17th March, 2025 and same is pending.

Respondent no. 3 is directed to decide the representation dated 17th March, 2025 and a reasoned order shall be passed after granting opportunity of hearing to the petitioner or his representative by twelve weeks from the date of communication of this order. The decision to be taken by respondent no. 3 shall be communicated to the petitioner by ten days thereafter. While taking such decision, respondent no.3 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.

The learned advocate for the petitioner is directed to communicate this order along with copy of the representation dated 17th March, 2025 to the

respondent no.3 by seven days from date.

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.)