

18.06.2025
Court No. 18
Item No. 42
(adeb)

WPA 11170 of 2025

Nur Ali
Vs.

The State of West Bengal & Ors.

Mr. Sakti Pada Jana
Mr. Subhajyoti Das
Ms. Sudipta Pramanik
.....for the petitioner

Mr. Bhaskar Prasad Vaisya
Mr. Nilay Baran 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 advocate.

Learned advocates representing the parties submits that a representation has been made by the petitioner on 7th April, 2025 claiming 3% additional increment for manning the post of

Headmaster in an upgraded higher secondary school and same is pending consideration before the Commissioner of School Education.

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.

Commissioner of School Education, West Bengal is directed to consider representation of the petitioner dated 7th April, 2025 within a period of 12 (twelve) weeks from the date of communication of this order after granting opportunity of hearing to the petitioner or his representative. Reasoned order shall be passed by the Commissioner of School Education on the claim of the petitioner seeking sanction of 3% additional increment for manning the post of Headmaster in an upgraded higher secondary school and same shall be communicated to the petitioner within fortnight 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.

Learned advocate for the petitioner is directed to communicate this order to the Commissioner of School Education enclosing representation dated 7th April, 2025 by 7(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.)