

37.
(DL)

18.06.2025
Ct. No. 18
(ARPAN)

W.P.A. 11141 OF 2025

Md. Monzur Alam
Vs.
The State of West Bengal & Others

Mr. Sakti Pada Jana, Adv.
Mr. Subhajyoti Das, Adv.
Mrs. Sudipta Pramanik, Adv.

...for the Petitioner

Mr. Suman Ghosh, Adv.
Mr. Arka Mondal, Adv.

...for the State

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

Petitioner is a retired Headmaster of a Government aided higher secondary school, who retired on superannuation on 29th February, 2024. Since petitioner manned the post of Headmaster in higher secondary school on upgradation prayer has been made in this writ petition for sanction of three (3) per cent additional increment.

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 Co-ordinate 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 sub-served in keeping this writ petition pending.

Leave is granted to the petitioner to make a representation before the Commissioner of School Education, West Bengal being respondent no.2 claiming three (3) per cent additional increment for manning the post of Headmaster in an upgraded higher secondary school within a period of three (3) weeks from date. In the event representation is made within the aforesaid time, respondent no.2 shall decide the claim of the petitioner by passing a reasoned order after granting opportunity of hearing to the petitioner or his representative within a period of twelve (12) weeks thereafter. Decision to be taken by the respondent no.2 shall be communicated to the petitioner by fortnight thereafter.

While taking such decision, respondent no.2 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 Co-ordinate Bench *vide* judgment dated 15th January, 2024.

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

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)