

W.P.A. 12333 of 2025

**Swastika Mandal
Vs.
The State of West Bengal & Ors.**

Mr. Firdous Samim
Ms. Gopa Biswas
Mr. Hasanuz Zaman
Mr. Moinak Ghosal
Ms. Ankita Ghosh
...for the petitioner
Mr. Ratul Biswas
Mr. Kaushik Chowdhury
...for the WBBPE
Md. Sarwar Jahan
Sk. Nayeemul Haque
...for the DPSC, Murshidabad
Mr. Binoy Kumar Das
Ms. Tuhina Parvin-1
...for the State

1. Petitioner prays for sanction of 'A' category scale of pay since petitioner has obtained B.Ed qualification.
2. However, it is undisputed that at the time of recruitment of the petitioner as primary teacher petitioner was treated as untrained candidate. It is submitted that since petitioner is possessing B.Ed qualification right to get benefit of 'A' category scale of pay ought not to be denied.
3. During course of submission learned advocate representing West Bengal Board of Primary Education has submitted that appointment of the petitioner was cancelled by the judgment delivered by a coordinate Bench on 12th May,

2023 passed on a writ petition being WPA 21187 of 2022 (Priyanka Naskar & Ors. Vs. The Union of India & Ors.). It was observed in paragraph 21 that appointment of all 36,000 (thirty six thousand) candidates who were untrained at the time of recruitment in 2016 recruitment process conducted by the Board in the post of primary teachers were cancelled for the reasons delineated in the said judgment dated 12th May, 2023.

4. It is submitted by the learned advocates representing the parties that issue is presently pending before the Hon'ble Division Bench.
5. Since petitioner's appointment as primary teacher is at stake at present question of granting 'A' category scale of pay does not arise.
6. Writ petition stands dismissed.
7. However, this order shall not preclude the petitioner to take steps in accordance with law in future claiming 'A' category scale of pay if situation is altered.
8. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)