

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

23
rkd 15.07.2025
Ct.18
Judgment

W.P.A. 13368 of 2025

Anup Kumar Biswas

-vs-

The State of West Bengal & Ors.

Mr. Santanu Maji,
Ms. Debrani Mondal,
Ms. Rima Banejee

....for the petitioner.

Mr. Avishek Prasad

....for the DPSC, Malda.

Mr. Ansar Mandal,
Mr. Tanweer J. Mandal

....for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By presenting this writ petition, petitioner has claimed sanction of 'A' category scale of pay upon giving credence to B.Ed. qualification, which petitioner 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 of 2024 (Waliur Rahaman & Ors. vs. The State of West Bengal & Ors.)**.
3. It is submitted on behalf of the petitioner 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 will be deprived of 'A' category scale of pay.

4. Respondents are represented by learned advocates who have opposed the prayer of the petitioner since according to the 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.
5. 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.
6. 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.
7. In view of aforesaid situation, petitioner is granted leave to make a representation to the Commissioner of School Education, West Bengal enclosing necessary documents by three weeks from date claiming 'A' category scale of pay. In the event representation is made within the prescribed time before 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 or his representative within a period of twelve (12) weeks thereafter. Decision to be taken by the Commissioner of School Education shall be communicated to the petitioner by fortnight thereafter.

8. Writ petition stands disposed of.
9. There shall be, however, no order as to costs.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)