

W.P.A. 14001 of 2025

**Jagannath Mondal & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Ujjal Roy
Sk. Abdur Rahim
...for the petitioners
Mr. Supriyo Chattopadhyay
Mr. Manoj Kumar Mondal
...for the State
Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
...for the WBCSSC

1. Matter is taken up for consideration in terms of the order dated 6th August, 2025 when the learned advocate representing the petitioners submits on instruction that present writ petition may be heard in connection with petitioner no. 9 since different causes of action are clubbed together in one writ petition due to joining of 12 writ petitioners including petitioner no.9. However, leave is prayed for on behalf of the petitioners excluding petitioner no. 9 to move separate writ petitions on the self same cause of action.
2. Having considered such submission made on behalf of the petitioners present writ petition is being entertained in respect of petitioner no. 9 (hereinafter referred to as petitioner). However, this order shall not preclude the other petitioners to file separate writ petitions on the self same cause of action.

3. Petitioner on being selected in 1st State Level Selection Test 2016 (Upper Primary) was recommended vide memo dated 20th November, 2024 by the Chairman, West Bengal Central School Service Commission (for short 'Commission') but could not join the recommended post as the school authority where petitioner was recommended vide letter dated 9th December, 2024 intimated the Commission as per 100 point roster 21 vacancy is for a teacher of Bio-Science but the petitioner was recommended against 15th vacancy under the roster point which was not available to accommodate the petitioner. On being communicated about non-availability of vacancy as per recommendation dated 20th November, 2024 petitioner was re-recommended vide memo dated 16th January, 2025 to another school and petitioner joined the post as per said memo dated 16th January, 2025 on 1st February, 2025. Petitioner prays for condonation of one month for extending incremental benefits which becomes due on 1st July, 2025. In this regard reliance is placed on the order of the Hon'ble Division Bench dated 8th August, 2025 passed on an intra Court appeal being **MAT 1247 of 2025 (Saktipada pradhan vs. The State of West Bengal & Ors.)** and Clause 10 of Government memorandum dated 13th December, 2019.

- 4.State respondents and West Bengal Central School Service Commission are represented by learned advocates.
- 5.Placing reliance on the decision of the Hon'ble Division Bench in **Saktipada Pradhan** (supra) it appears that identical issue was decided thereby allowing notional incremental benefits to the appellant by condoning service of one month being an assistant teacher.
- 6.Clause 10 of Government memorandum dated 13th December, 2019 provides in the revised scale of pay date of increment is uniform i.e. 1st July of every year. Yearly increment which is required to be extended on and from 1st July of every year can be granted, in the event teacher concerned completes service of six months or more in the revised pay structure as on 1st July.
7. In the present case petitioner joined the post of assistant teacher on 1st February, 2025 and requisite period of six months for getting yearly incremental benefits on 1st July, 2025 fell short by one month so far petitioner is concerned which needs to be condoned based on ratio of **Saktipada Pradhan** (supra).
- 8.Accordingly, State respondents are directed to grant incremental benefits in terms of Clause 10 of the Government memorandum dated 13th December,

2019 to the petitioner notionally on and from 1st July, 2025 but the actual incremental benefits shall be allowed to the petitioner from 1st July, 2026. But for other purposes relating to service of the petitioner date of appointment of the petitioner shall be reckoned as 1st February, 2025.

9. With the aforesaid directions writ petition stands disposed of.

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

(Saugata Bhattacharyya, J.)