

18.08.2025
Court No. 18
Item No. 29
(Suvendu)

WPA 15539 of 2025

Sagar Chandra Koley
-Versus-

The State of West Bengal & Ors.

Ms. Rama Halder
.....for the petitioner

Ms. Sukanya Datta
.....for the State

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
.....for the WBBSE

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

2) Grievance of the petitioner is in spite of specific direction given by this Court in the order dated 1st February, 2023 while allowing the writ petition being WPA 2581 of 2006 preferred by the petitioner, petitioner was not sanctioned notional benefit from 30th January, 2006. It is submitted that in terms of the order of this Court dated 1st February, 2023 passed on aforesaid writ petition preferred by the petitioner, petitioner joined the post on 29th September, 2023 as Assistant Teacher but in violation of the said order notional benefit was not granted and pay of the petitioner was not

fixed appropriately on the date of appointment on 29th September, 2023. Petitioner prays for direction upon the concerned respondent authorities for grant of notional benefit in terms of the order dated 1st February, 2023 passed by this Court.

3) While opposing this writ petition, learned advocates representing State respondents and West Bengal Board of Secondary Education have drawn attention of this Court to memo dated 6th September, 2024 and a subsequent memo dated 17th March, 2025 issued by the District Inspector of Schools (SE), Hooghly and Additional District Inspector of Schools (SE), Arambagh Sub-Division, Hooghly respectively. In reference to aforesaid two memoranda dated 6th September, 2024 and 17th March, 2025 it is submitted that in compliance of the order dated 1st February, 2023 passed by this Court notional benefit was sanctioned in favour of the petitioner and pay of the petitioner was accordingly fixed at the time of joining the post of Assistant Teacher.

4) Having considered the respective submissions made on behalf of the parties and taking note of the memoranda dated 6th September, 2024 and 17th March, 2025, it appears that petitioner joined the post of

Assistant Teacher on 29th September, 2023 and was allowed notional benefit with effect from 30th January, 2006

5) Case of the State respondents stands further fortified vide memo dated 17th March, 2025 issued by the Additional District Inspector of Schools (SE), Arambagh Sub-Division, Hooghly containing calculation thereby demonstrating that pay of the petitioner was accordingly fixed by granting notional benefit in terms of ROPA 2009.

6) In view of the steps taken by the concerned State authorities, this Court does not find that notional benefit was not accorded to the petitioner.

7) Hence, writ petition stands dismissed.

8) There shall be no order as to costs.

9) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)