

W.P.A. 16464 of 2025

Sri Nikhil Ranjan Das
Vs.
The State of West Bengal & Ors.

Mr. U.K. Jana
...for the petitioner
Mr. Saibal Acharyya
...for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. In the writ petition order of the District Inspector of Schools (SE) Purba Medinipur being respondent no. 3 is questioned whereby respondent no. 3 refused to take decision in terms of the order of the coordinate bench dated 15th November, 2016 passed on the writ petition being WPA 14405 of 2016. The coordinate bench directed the respondent no. 3 to decide representation of the petitioner seeking sanction of higher scale of pay which was annexure P9 to that writ petition.
3. In the present writ petition said representation dated 9th February, 2016 is at page 32 of the writ petition. On perusal of the representation dated 9th February, 2016 it appears that petitioner prayed for sanction of postgraduate scale of pay but inadvertently

respondent no. 3 proceeded to decide annexure P4 to the writ petition being WPA 14405 of 2016 instead of annexure P9. It further appears that no modification of the order dated 15th November, 2016 passed by the coordinate bench on WPA 14405 of 2016 is needed.

4. However, Mr. Acharyya, learned advocate representing the State respondents submits that representation which is required to be considered in terms of the order dated 15th November, 2016 passed by the coordinate bench is dated 9th February, 2016 which may not be on record of the respondent no. 3.
5. Therefore, leave is granted to the petitioner to make a representation to the respondent no. 3 by fortnight from date claiming postgraduate scale of pay. If such representation is made within the aforesaid time respondent no. 3 is directed to decide the same in accordance with law by 8 (eight) weeks thereafter on granting opportunity of hearing to the petitioner or his representative.
6. Respondent no. 3 shall pass a reasoned order and same shall be communicated to the petitioner by 10 days thereafter.
7. Memo dated 11th April, 2017 passed by respondent no. 3 stands set aside.
8. Writ petition stands disposed of.

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

(Saugata Bhattacharyya, J.)