

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

09 25.08.2025
rkd Ct.18
DO

W.P.A. 16576 of 2025

Sumana Bhattacharyya

-vs-

The State of West Bengal & Ors.

Mr. Sudip Dasgupta,
Mr. Saikat Sutradhar

....for the petitioner.

Mr. Suman dey,
Mr. Subrata Bhattacharjee

....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. At the outset learned advocate representing the petitioner on instruction submits that petitioner is not claiming arrear financial benefits but notional benefit may be extended to the petitioner in view of delay occurred in appointing the petitioner which is not attributable to the petitioner.
3. On behalf of petitioner it is submitted by the learned advocate that petitioner participated in 12th RLST, 2011 and at the first instance petitioner was not selected. However, on reassessment of marks in subjects under TET 2011 there was enhancement of marks which made the petitioner eligible to be appointed but there was considerable delay in

appointing the petitioner in the post of Assistant Teacher.

4. Attention of this Court has been drawn to appointment letter issued by the Secretary, West Bengal Board of Secondary Education which is annexed to this writ petition and it is submitted that in terms of the said appointment letter petitioner joined the post of Assistant Teacher on 20th June, 2025.
5. In course of submission, reliance is placed on order dated 23rd July, 2024 issued by the Principal Secretary, School Education Department, Government of West Bengal, whereby in similarly circumstances candidates were granted notional incremental benefits from November, 2013 though they were appointed after a long period of time. Reliance is also placed on the order dated 18th June, 2025 passed by this Court on a writ petition being **WPA 10823 of 2025 (Sujoy Bala Vs. The State of West Bengal & Ors.)**.
6. On consideration of the issue decided in **Sujoy Bala** (supra), it appears that said order covers the issue involved in this writ petition. Let a copy of the order passed in **Sujoy Bala** (supra) be retained with the record.
7. Taking note of the decision of the Principal

Secretary, School Education Department dated 23rd July, 2024 and the order passed in **Sujoy Bala** (supra), concerned State respondents are directed to grant notional benefits to the petitioner from November, 2013 and fix the pay of the petitioner from the date of petitioner's appointment accordingly. For computation of other benefits including pension, date of appointment of petitioner to be reckoned as 01.11.2013. However, petitioner is not entitled to receive monetary benefits from 01.11.2013 till the date of her appointment.

8. The aforesaid exercise shall be completed by the Commissioner of School Education by twelve weeks from the date of communication of this order.
9. In this regard an order is to be passed by the Commissioner of School Education, to be communicated to the petitioner by fortnight thereafter.
10. With the aforesaid direction, the writ petition stands disposed of.
11. There shall be no order as to costs.
12. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)