

03.12.2025
Item No. 23
Ct. No. 14
AN

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

**WPA 17121 of 2025
Md. Mahibar Rahaman
vs.
State of West Bengal & ors.**

Mr. Sakti Pada Jana
Mr. Subhajyoti Das
Mrs. Sudipta Pramanik
... for the petitioner

Mr. Saibal Acharya
Ms. Mohuya Dutta Biswas
... for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks for direction upon respondent no. 5, the District Inspector of Schools (S.E.), Malda to refix the basic pay of the petitioner who is discharging function as Headmaster of Mohammadia High Madrasah (H.S.) upon granting him 3% additional increment in terms of the Government Order No. 181-SE(B)/5B-1/09 dated 8th October, 2009 and subsequent Government Order No. 30-SE(B)/5B-1/2009 dated 10th February, 2010 and the Government Order No. 1003-SE(S)/5P-129/12 dated 4th December, 2014.
3. The petitioner contends that he is the Headmaster of Mohammadia High Madrasah (H.S.) which has been upgraded as a Higher Secondary High Madrasah on

21st July, 2005. The petitioner has taken charge as the Headmaster in the said High Madrasah on 29th April, 2014. In terms of the Government Order No. 181-SE(B)/5B-1/09 dated 8th October, 2009, the petitioner is entitled to get one additional increment i.e. 3% of his basic pay and Grade pay of Rs. 200/-. Since the petitioner has not been granted the said benefit, hence this writ petition.

4. Mr. Sakti Pada Jana, learned advocate appearing for the petitioner submits that in terms of the Government Order, the petitioner being the Headmaster is entitled to an increment of 3% of his basic pay. He seeks liberty to submit a comprehensive representation before respondent no. 5, the District Inspector of Schools (S.E.), Malda in this regard for his due consideration in accordance with law.
5. None appears on behalf of the State.
6. Mr. Saibal Acharya, learned advocate alongwith Ms. Mohuya Dutta Biswas, learned advocate who usually represent the State are requested to appear in this matter on behalf of the State. Let their appointment be regularised by the Office of the learned Government Pleader. Petitioner is directed to handover a copy of the writ petition alongwith all annexures to the learned advocate representing the State.
7. Mr. Saibal Acharya, learned advocate representing the State leaves the matter to the discretion of the Court.

8. In view of the above submission, the petitioner is granted liberty to file a comprehensive representation before respondent no. 5, the District Inspector of Schools (S.E.), Malda within a period of two weeks from date. Upon receipt of the same, respondent no. 5, the District Inspector of Schools (S.E.), Malda shall consider and dispose of the same within a period of six weeks in accordance with law upon giving notice to the petitioner as well as to respondent no. 7, Madrasah authority. In the event, the petitioner is found to be entitled, then necessary consequential steps be taken accordingly.
9. Learned advocate for the petitioner is directed to communicate this order to respondent no. 5, the District Inspector of Schools (S.E.), Malda, for necessary compliance.
10. With the above directions, the writ petition being **WPA 17121 of 2025** stands disposed of.
11. Since no affidavits have been called for, the allegations made in the writ petition are deemed to be not admitted.
12. Consequently, connected applications, if any, also stand disposed of.
13. Interim orders, if any, stand vacated.
14. There will be no order as to costs.

15. Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Bivas Pattanayak, J.)