

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. 18358 OF 2025

NILKAMAL DAS
VS.
THE STATE OF WEST BENGAL & OTHERS

Mr. Kanai Lal Samanta, Adv.

...for the Petitioner

Mr. Sougata Mitra, Adv.

Mr. Subhadeep Maitra, Adv.

...for the State

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner by presenting this writ petition, *inter alia*, has prayed for sanction of three per cent additional increment for manning the post of Headmaster in Higher Secondary school.
3. Learned advocate representing the petitioner has relied upon the judgment of the Hon'ble Division Bench passed on an *intra-court* appeal being ***MAT 1002 of 2022 (The State of West Bengal & Anr. vs. Sri Kali Sadhan Bhattacharjee @ Bhattacharyya & Ors.)***. He also relied upon a judgment dated 15th January, 2024 passed by a Co-ordinate Bench on a writ petition being ***WPA 6217 of 2021 (Subir Kumar Ghosh vs. The State of West Bengal & Ors.)***.
4. State respondents are represented by learned advocates.

5. Having considered the issue involved in this writ petition, this Court finds that no useful purpose would be sub-served in keeping this writ petition pending.
6. It appears that petitioner has made a representation dated 21st June, 2025 addressed to the Commissioner of School Education, West Bengal being respondent no.2 seeking sanction of three per cent additional increment.
7. Respondent no.2 is directed to consider and decide the representation of the petitioner by twelve weeks (12) from date of communication of this order after granting opportunity of hearing to the petitioner or his representative. The decision to be taken by the respondent no.2 shall be communicated to the petitioner by fortnight thereafter. While taking such decision, the respondent no.2 shall follow the ratio of ***Sri Kali Sadhan Bhattacharjee*** (*supra*) and ratio of ***Subir Kumar Ghosh*** (*supra*).
8. Learned advocate for the petitioner is directed to communicate this order along with a copy of representation dated 21st June, 2025 to the respondent no.2 by fortnight from date.
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.)