

10.03.2025
(D/L 18)
Ct.-19
(Susanta)
Samar)

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

APPELLATE SIDE

W.P.A. 21187 of 2024

Nabendu Mondal & Ors.

-Vs-

The State of West Bengal & Ors.

Mr. Ratul Biswas,

Mr. Somesh Ghosh,

.... For the Petitioners.

Mr. Joydip Banerjee,

Mr. Prabir Kumar Ray,

.... For the State.

Mr. Bhaskar Prasad Vaisya,

Mr. Grouav Das,

.... For the DPSC (South 24-Parganas).

The petitioners are assistant teachers at different primary schools under the 24-Parganas (South), District Primary School Council.

The petitioner had completed their training qualification D.El.Ed. (18 months) from NIOS before joining the service.

The petitioners are praying 'A' Category Scale of Pay.

The Hon'ble Supreme Court in the case of **Viswanath & Ors. Vs. State of Uttarakhand & Ors.** passed in Misc. Application Diary No. 54987 of 2024 and 56769 of 2024 had reviewed its earlier decision in **Jaiveer Singh & Ors. Vs. State of Uttarakhand & Ors.** reported in **2023 SCC Online SC 1584** thereby has clarified that the persons, who have completed the diploma course of 18 months

and were in employment as on August 10, 2017 would be treated as valid diploma holders.

The Commissioner of School Education Government of West Bengal, the respondent no. 2 herein, in his report filed in this matter did not consider the said judgment of the Hon'ble Supreme Court passed in review.

The prayer of the petitioners for 'A' Category Scale of Pay therefore is relegated to the respondent no. 2. The said respondent is directed to consider the said prayer of the petitioners in the light of the said judgment of the Hon'ble Supreme Court passed in review and to dispose it of in accordance with law as expeditiously as possible preferably within a period of eight weeks from the date of communication of this order. To facilitate the earlier exercise, the petitioners are directed to supply the complete copy of the writ petition to the said respondent no.2.

W.P.A. 21187 of 2024 is thus disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)