

26
13.11.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 25214 of 2025

**Prashanta Mondal
-versus
The State of West Bengal & Ors.**

**Mr. Anindya Bose,
Ms. Cardina Roy,
Mr. Mridul Biswas.
...For the Petitioner.**

**Mr. Nilay Baran Mondal.
...For the State.**

1. Affidavit of service filed in Court today is taken on record.

2. None appears on behalf of the private respondent.

3. The petitioner is aggrieved by the order passed by the District Inspector of Schools (S.E.), South 24-Parganas rejecting his prayer for pay protection.

4. The communication dated 26th August, 2025 made by the District Inspector of Schools (S.E.), South 24-Parganas to the school where the petitioner is serving mentions that the applicant and the other teachers have different teaching qualification and pay scale and accordingly, pay protection cannot be granted.

5. Prayer has been made to set aside the impugned order of rejection and direct the authority to reconsider the matter afresh.

6. Learned advocate appearing on behalf of the District Inspector of Schools (S.E.), South 24-Parganas

submits that the petitioner did not point out the discrepancy in his pay protection. Till the petitioner points out the mistakes in his scale of pay, protection of his pay cannot be allowed.

7. On a perusal of the impugned order, it appears that the same is an absolute cryptic one. The issues which were considered by the District Inspector of Schools (S.E.), South 24-Parganas for rejecting the prayer of the petitioner are not cleared.

8. It has been submitted that no opportunity of hearing was granted to the petitioner prior to passing the impugned order.

9. In view of the above, to uphold the principle of natural justice, the impugned decision communicated vide letter dated 26th August, 2025 is set aside.

10. The District Inspector of Schools (S.E.), South 24-Parganas is directed to grant an opportunity of hearing to the petitioner, the private respondent and the school authority to arrive at a decision with regard to the prayer of the petitioner seeking pay protection.

11. A decision shall be taken in the matter at the earliest but positively within a period of twelve weeks from the date of communication of this order.

12. The writ petition stands disposed of.

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

(Amrita Sinha, J.)