

18.02.2025
Court No. 18
Item No.72
(Suvendu)

WPA 27228 of 2024

Sudip Barman
-Versus-

The State of West Bengal & Ors.

Mr. Shamim Ul Bari
Ms. Jhilik Singha
.....for the petitioner

Mr. Sourav Sen
Ms. Shayani Das
.....for the State

Affidavit of service filed on behalf of the
petitioner is taken on record.

In spite of service of notice, authorities of
Faldi High School (HS), North 24 Parganas being
respondent nos. 4 and 5 are not represented.

By presenting this writ petition, petitioner
has prayed for grant of post graduate scale of
pay for possessing Bachelor of Technology (B.
Tech.) degree.

Learned advocate representing the
petitioner submits that petitioner was appointed
as an Assistant Teacher having Honours degree
in Chemistry with effect from 4th July, 2006 and
Honours graduate scale of pay was sanctioned.
However, at the time of appointment of
petitioner he was possessing B.Tech.

qualification which he obtained from the University of Calcutta and in support of same a certificate dated 31st May, 2005 is relied upon.

It is contended on behalf of the petitioner that B.Sc. (Honours) in Chemistry with B. Tech. degree should be regarded as equivalent to M.Sc. degree in Chemistry on the strength of order dated 7th November, 2008 issued by the West Bengal Central School Service Commission. It is also contended that since requisite qualification for taking admission in B. Tech. course is B.Sc. (Honours) either in Physics or in Chemistry or in Computer Science B. Tech. should be treated as post graduate degree which has been certified by the Registrar of University of Calcutta on 4th July, 2014.

A representation dated 21st July, 2014 has been made by the petitioner to the concerned school authority for taking necessary steps for sanctioning post graduate scale of pay in favour of the petitioner.

State respondents are represented by learned advocate who has submitted since the issue has not yet been decided by the concerned District Inspector of Schools (SE), North 24 Parganas being respondent no. 3 necessary

direction may be given for consideration of the issue in accordance with law.

Having considered the submissions made on behalf of the parties, writ petition stands disposed of granting leave to the petitioner to make a representation seeking sanction of post graduate scale of pay by fortnight from date which will be addressed to the respondent no. 3. If such representation is made within aforesaid time, respondent no. 3 shall decide entitlement of petitioner to receive post graduate scale of pay after granting opportunity of hearing to the petitioner or his representative by eight weeks thereafter. A reasoned decision shall be taken by the respondent no. 3 which shall be communicated to the petitioner by ten days thereafter.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)

