

W.P.A. 29949 of 2024

**Mrs. Shiuli Hudati
Vs.
The State of West Bengal & Ors.**

Mr. Narattam Acharyya
Mr. Shamit Dutta

...for the Petitioner

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

In spite of service of notice, State respondents are not represented.

Learned advocate representing the petitioner submits that petitioner is an approved Assistant Teacher in Bengali and presently is in receipt of honours graduate scale of pay. Petitioner participated in 12th Regional Level Selection Test (A.T.), 2011 and was selected for appointment in the post of Assistant Teacher in Bengali under Honours/ PG category and concerned authority of the West Bengal Regional School Service Commission, Southern Region *vide* memo dated 21st March, 2014 recommended the petitioner to be appointed in Sreedham Gangasagar Swami Kapilananda Vidyabhaban, South 24 Parganas.

It is further submitted that petitioner acquired Masters Degree in Bengali in 2011 from Rabindra Bharati University but at the time of offering her candidature to participate in 12th Regional Level Selection

Test (A.T.), 2011, since petitioner was not possessing Masters Degree she had to offer her candidature being honours graduate candidate and accordingly, she was selected for being appointed as an Assistant Teacher in Bengali in the aforesaid school.

Petitioner prays for sanction of post graduate scale of pay for having Masters Degree in Bengali which is the relevant subject of teaching of the petitioner. Headmaster of the aforesaid school on 29th February, 2024 made a prayer to the District Inspector of Schools (S.E.), South 24 Parganas being respondent no.6 on submission of relevant papers, for sanctioning post graduate scale of pay. It is submitted that till date respondent no.6 has not taken any decision.

Having considered the submission made on behalf of the petitioner and taking note of the fact that petitioner was appointed as an Assistant Teacher in the aforesaid school with effect from 21st April, 2014 and was sanctioned honours graduate scale of pay though petitioner is possessing post graduate qualification in the relevant subject, respondent no.6 is directed to consider the claim of the petitioner for sanctioning post graduate scale of pay by eight (8) weeks from the date of communication of this order and a reasoned order shall be passed after granting opportunity of hearing to the petitioner or her representative. While taking such

decision respondent no.6 shall follow the judgment dated 7th February, 2024 delivered by the Hon'ble Special Bench on a batch of matters, first one being *WPA 9921 of 2007 (Utpal Kanti Karan vs. State of West Bengal & Ors)*. If petitioner is found to be eligible to receive post graduate scale of pay, consequential steps shall be taken by respondent no.6 for sanctioning such benefits.

With the above directions, writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)