

17.06.2025
Sl. No.9
tkm

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

W. P. A. 1177 of 2025

[Subhajit Bose & Ors. -Vs- State of West Bengal & Ors.]

Mr. Sanjoy Mazumdar
Ms. Sukanya Adhikary
... .. for the petitioners

Mr. Subir Kumar Saha
Mr. Bedashruti Bose
... for the State

Mr. Taraprasad Halder
... for respondent nos. 3-5

1. Affidavit of service is taken on record.
2. It is the case of the petitioners that they are the Assistant Teachers serving under respondent no. 3 are aggrieved by the non-grant of 'A' category scale of pay with effect from the date of completion of their primary teachers training. Their claim is based on the judgment of the Hon'ble Division Bench of this Court in MAT 107 of the 2022 and also the decision of the co-ordinate Bench of this Court in WPA 9201 of 2024.
3. It is the contention of the petitioners that they are assistant teachers working in various schools under respondent no. 3. They have completed their primary teachers training in July 2006, however, the corresponding examination was conducted in the year 2011 due to pendency of various litigations. All the petitioners have successfully cleared the said

examination held on 14.07.2011. The school education department (Primary), Government of West Bengal issued a notification dated 04.03.2013 allowing the primary teachers, who had obtained 1 year/2 years of elementary education from State recognized institutions and were appointed on or before 31.12.2005, to be treated as trained teachers eligible for the 'A' category scale of pay.

4. It is the case of the petitioners that they are similarly situated and therefore entitled to the benefits of the said notification dated 04.03.2013. This court has extended the said benefit to the similarly situated teachers vide judgment dated 05.01.2024 in MAT 107 of 2022 and also the decision of the co-ordinate Bench of this court in WPA 9201 of 2024. The petitioners had submitted representation dated 28.05.2024 requesting to extend the benefit of the said notification dated 04.03.2013, as extended to similarly situated teachers. However, till date no decision has been communicated to the petitioners till date.

5. Being aggrieved by the same, the petitioners have preferred the present writ petition.

6. Learned counsel for the respondent nos. 3 to 5 submits that the authorities are ready and willing to decide petitioners' representation dated 28.05.2024.

7. Learned counsel for the petitioners submits that his clients shall be satisfied if the same is decided within a time bound manner.
8. In view thereof, respondent no. 4 is directed to consider and decide the petitioner's representation dated 28.05.2024 within a period of six weeks from the date of communication of this order after affording an opportunity of hearing to the petitioners by way of a speaking order.
9. With the above direction, the present writ petition is disposed of.
10. Since no affidavit is called for allegations made in the application are deemed to have been denied.

(Gaurang Kanth, J.)