

DL-21

27.02.2026

Court No.18
[Bench ID-**265721**]
(AD)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 2003 of 2026

Smt. Rinku Sarkar

Vs.

The State of West Bengal & Ors.

Mr. Bikram Banerjee, Advocate
Mr. Pradip Kr. Ghosh, Advocate
Mr. Arindam Shit, Advocate

... for the petitioner

Mr. Nirmalya Biswas, Advocate

... for the State

1. An affidavit of Service filed in Court today be retained with the records.
2. None appears on behalf of the respondents.
3. Mr. Nirmalya Biswas, learned Advocate, who is present in Court and who usually represents the State before the Court is directed to enter appearance on behalf of the State respondents and defend the matter on behalf of the State.
4. Let a copy of the writ petition be formally served upon Mr. Nirmalya Biswas, learned Advocate.
5. The Government Pleader is requested to regularize the engagement of Mr. Biswas, learned Advocate.
6. The petitioner's prayer for higher scale of pay on enhancement of her educational qualification in Physical Education on attaining the Post-Graduate degree is pending consideration at the

end of the District Inspector of Schools, Hooghly.

7. It appears that several communications were made by the District Inspector of Schools to the Secretary-cum-Headmistress of the school as regards the prayer of the petitioner but final order is yet to be passed.
8. The issue in question as to whether a teacher who partially completed higher study before entering service will be entitled to get higher scale of pay, has been decided by the three judge Bench of this Court in the matter of Utpal Kanti Karan -vs- State of West Bengal & Ors. reported in 2024 SCC Online Cal 1274.
9. The same principle was followed by the Court in the order dated 26.02.2026 in WPA 29770 of 2025 **(Madhumita Banerjee vs. State of West Bengal and Ors.)**.
10. In view of the above, the instant writ petition stands disposed of by directing the District Inspector of Schools (Secondary Education), Hooghly, to take a decision on the petitioner's prayer seeking higher scale of pay strictly in-line with the judgment passed by the Special Bench in the matter of Utpal Kanti Karan vs. State of West Bengal (supra) and Madhumita Banerjee vs. State of West Bengal and Ors. (supra) mentioned hereinabove.
11. A reasoned order shall be passed and

communicated to the petitioner.

12. An opportunity of hearing shall be provided to the petitioner for production of all documents in support of her claim for higher scale of pay.
13. A decision shall be taken at the earliest but positively within a period of eight weeks from the date of communication of this order.
14. **WPA 2003 of 2026** is **disposed of**.
15. Parties to act on the basis of the server copy of this order, duly downloaded from the official *website* of this Court.
16. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)