

17.04.2026
Sl. No.10
Ct. No.14
gd

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA/2499/2025
KALYAN KUMAR PATRA
VS
STATE OF WEST BENGAL AND ORS.

Mr. Sudipta Dasgupta
Mr. Saikat Sutradhar

...for the Petitioner.

Mr. Bhaskar Prasad Vaisya
Mr. Suman Dey

...for DPSC, Bankura.

1. By the present writ petition the petitioner seeks direction upon the respondent authorities for grant of 'A' category scale of pay to the petitioner with effect from 2006.
2. The petitioner contends that he joined as an Assistant Teacher in Chingani Muslim Palli under Onda (South) Circle, District-Bankura on 12nd March, 2003. The petitioner being an untrained candidate was deputed for Primary Teachers Training (*in short, 'PTT'*) course for the session 2004-2005. The petitioner qualified in all subjects except one in the year 2005. The petitioner re-appeared in the 2005-2006 session and completed the course successfully held in the year 2011, the results of which were declared on 14th July, 2011. The petitioner has been granted 'A' category scale of pay from 2016 which ought to have been granted on completion training course in the year 2006. The petitioner seeks for grant of 'A' category scale of pay from the year 2006. Hence, this writ petition.

3. Mr. Sudipta Dasgupta, learned advocate appearing for the petitioner submits that similarly circumstanced petitioners have been granted 'A' category scale of pay in ***Mina Bera @ Mina Rani Bera & Ors. versus The State of West Bengal & Ors. (Re: WPA 15305 of 2024)***. The District Primary School Council in its report has raised an issue that as the petitioner secured 50% marks in Higher Secondary Examination in the year 2016, hence such benefit has been granted from the said date and not from the date of completion of the course. However, for grant of 'A' category scale of pay that is not a mandatory requirement and this Hon'ble court did not lay down any such proposition while considering the prayer of the similarly circumstanced petitioners. He seeks for similar benefit for the petitioner.

4. Mr. Suman Dey, learned advocate appearing on behalf of the District Primary School Council, Bankura submits that since the petitioner did not possess 50% marks in Higher Secondary Examination which was subsequently secured on 2nd February, 2016, therefore, the petitioner cannot claim 'A' category scale of pay from the completion of the course in the year 2006. The benefit of 'A' category scale of pay has been rightly extended to the petitioner from 2016 and not from 2006.

5. Having considered the submissions of the learned Advocates for the respective parties, the issue which falls for consideration is whether the petitioner is

entitled to 'A' category scale of pay from the date of completion of PTT course for the session 2005-2006 i.e. June, 2006.

6. It is not in dispute that the petitioner appeared in the examination for the session 2004-2005 but could qualify in all subjects except one. Subsequent thereto, the petitioner re-appeared in the training session of 2005-2006 and completed the course successfully in the year 2011. The Hon'ble Division Bench in ***Sunil Tudu -versus- State of West Bengal & ors. (MAT 107 of 2022)*** along with other appeals in similarly circumstances have held that the petitioners are entitled to 'A' category scale of pay. The date from which the entitlement of the petitioner's 'A' category scale of pay also fell for consideration before a Coordinate Bench of this Hon'ble Court in ***Swapan Kumar Das -versus- The State of West Bengal & ors. (WPA 10630 of 2024)*** along with other writ petitions wherein effect has been given from June, 2006. In ***Mina Bera @ Mina Rani Bera (supra)*** a Coordinate Bench of this court has granted 'A' category scale of pay to the petitioner with effect from 2006. The petitioner is similarly circumstanced. None of the aforementioned decisions of the Hon'ble Division Bench or the learned Single Bench lay down that the entitlement to 'A' category scale of pay would be given effect from date of enhancement of the Higher Secondary Qualification.

7. Accordingly, in line with the aforesaid decisions, the petitioner is entitled to 'A' category scale of pay with effect from the year 2006.

8. The concerned authorities are directed to take necessary steps in view of the observations made hereinabove within a period of two months from the date of communication of this order.

9. Let arrears of salary consequently be paid to the petitioner within the aforesaid period.

10. With the above direction, the writ petition being **WPA 2499 of 2025** stands disposed of.

11. Learned advocate for the petitioner is directed to communicate this order to the concerned respondents for necessary compliance.

12. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

13. Interim order, if any, stands vacated.

14. All connected applications, if any, stand disposed of.

15. There shall be no order as to costs.

16. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

17. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)