

06<sup>th</sup> March, 2026  
Item no.D/L 10  
Court No. 18  
Pradip, A.R.(Ct.)

**In the High Court at Calcutta**  
**Constitutional Writ Jurisdiction**  
**Appellate Side**

Case No. **WPA 4773 of 2026**

*In the matter of :*  
**Subimal Sinha** *.... Petitioner*  
**VS.**  
**The State of West Bengal & Ors.** *....Respondents*

*For the Petitioner:*  
**Mr. Dwarika Nath Mukherjee**  
**Mr. Pradip Kr. Ghosh** *....Advocates*

*For the State:*  
**Mr. Tanmoy Kumar Ghosh**  
**Mr. Debasish Chakraborty** *....Advocates*

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner’s prayer for higher scale of pay on enhancement of his educational qualification in Physical Education on attaining the Post-Graduate degree is pending consideration at the end of the District Inspector of Schools, Hooghly.
3. The petitioner filed a writ petition being **WPA 12420 (W) of 2008** challenging the inaction on the part of the respondents in not granting higher scale of pay to him.
4. 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.**

5. The writ petition filed by the petitioner earlier was tagged along with the matter of **Utpal Kanti Karan** (supra).
6. 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.)**.
7. 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.
8. A reasoned order shall be passed and communicated to the petitioner.
9. An opportunity of hearing shall be provided to the petitioner for production of all documents in support of his claim for higher scale of pay.
10. A decision shall be taken at the earliest but positively within a period of eight weeks from the date of communication of this order.
11. **WPA 4773 of 2026 is disposed of.**
12. Parties to act on the basis of the server copy of this order, duly downloaded from the official *website* of this Court.
13. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Amrita Sinha, J.)**