

26 **11.02.
2026**

Ct. No. 24

Ab

WPA 5081 of 2025

**Dr. Somnath Bhattacharyya
Vs.
State of West Bengal and others.**

**Mr. Samrat Choudhury,
Ms. Ankita Das Chakraborty.**

... for the petitioner.

**Mr. Swapan Kumar Datta,
Mr. Dipankar Das Gupta.**

... for the State.

**Mr. Subhrangsu Panda,
Mrs. Ina Bhattacharyya,
Mrs. Mithu Singha Mahapatra.**

... for the respondent no. 2.

1. The affidavits filed by the parties are kept on record.
2. The petitioner had joined the services as a Lecturer with a Ph.D degree in June 1998. The petitioner has thereafter been promoted to the scale of Senior Lecturer and at present an Associate Professor drawing basic pay at Level 13A and Cell 08.
3. The respondent no. 5 has similarly joined the services as a Lecturer on February 1, 2000, however, without any Ph.D. She had obtained her Ph.D during her period of service sometime in 2020. The respondent no. 5 is presently receiving basic pay at Level 13A and Cell 09. Thus, even though the petitioner is senior and had joined on a better footing (Ph.D), he is presently getting a remuneration, which is less than the respondent no. 5, though he has equivalent credentials along with seniority as compared to the respondent no. 5.

4. It appears from the Memo No. 1306(22)-Edn (U)/EH/1U-77/17 dated December 30, 2019 read with supplementary memo thereto being no. 120(22)-Edn (U)/EH/1U-77/17 dated February 3, 2020 that the petitioner is entitled to the insertion referred in the supplementary memo to serial no. 2(i) after para (g) of the original memo of December 30, 2019.
5. If the petitioner is entitled to such pay fixation, as entailed in the supplementary memo, the petitioner's pay package should be at par with that of the respondent no. 5.
6. I direct the respondent no. 3 to consider this issue and pass a reasoned order by March 31, 2026, upon giving a hearing to the petitioner with adequate prior notice.
7. If the consideration is made in favour of the petitioner, the petitioner will be entitled to the arrears from October 2020.
8. With these afore-stated directions, the writ petition is disposed of.
9. There shall, however, be no order as to costs.
10. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Reetobroto Kumar Mitra, J.)

