

02.01.2026
Sl. No.6(DL)
Ct. No.14
srm

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

W.P.A. No. 5429 of 2025

Tapas Kumar Pan & Anr.

Versus

The State of West Bengal & Ors.

Mr. Anindya Lahiri, Sr. Adv.
Ms. Pranati Das,
Mr. Subhomay Paul,
Mr. Anish Chakraborty

...for the Petitioners.

Mr. Bhaskar Prasad Vaisya, AGP
Mr. Nilay Baran Mondal

...for the State.

Mr. Ranjan Saha

...for the DPSC, Paschim Medinipur.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. By the present writ petition, the petitioners seek for grant of 'A' category scale of pay in their favour with effect from the last date of D.El.Ed. examination i.e. 16th March, 2019.
3. The petitioners contend that they joined as untrained teachers in service. The petitioners have successfully completed D.El.Ed. course for the session 2017-19. The petitioners have already secured 50% marks in higher secondary examination. On 29th January, 2025, the petitioners made a representation before the appropriate authority for grant of 'A' category scale

from 16th March, 2019 i.e. the last date of examination of D.El.Ed. course. However, they have not been granted 'A' category scale of pay. Hence, this writ petition.

4. Mr. Anindya Lahiri, learned Senior Advocate for the petitioners submits that the petitioners are entitled to 'A' category scale of pay from the date of declaration of the result, i.e. on 22nd May, 2019. To buttress his contention, he relies on the decision of Hon'ble Division Bench passed in *M.A.T. 1522 of 2024 (District Primary School Council, Purba Medinipur & anr. -versus- Chandan Kumar Majee & others)* along with other appeals. He submits that the petitioners are similarly circumstanced as of the petitioners before the Hon'ble Division Bench in *Chandan Kumar Majee (supra)* as such similar benefit be extended to the petitioners in the light of the decision of the Hon'ble Division Bench.
5. Mr. Ranjan Saha, learned Advocate for the District Primary School Council, Paschim Medinipur as well as Mr. Bhaskar Prasad Vaisya, learned Additional Government Pleader appearing for the State submits that the Hon'ble Division Bench has passed order for entitlement of 'A' category scale of pay from the date of declaration of the results.
6. It is not in dispute that the result of the D.El.Ed. (online) examination has been declared on 22nd May, 2019.

7. At this stage, it would be profitable to reproduce the observation of Hon'ble Division Bench in respect of the similarly circumstanced petitioners in *Chandan Kumar Majee (supra)* as hereunder:

"In view thereof, the orders passed by the learned single Judge in the respective writ petitions are modified to the effect that the writ petitioner/respondent no.1 in the respective appeals shall be granted 'A' category pay-scale with effect from the date of result declaration of D. EL. Ed (online) examination held in March 2019, i.e., 22nd May, 2019 and that the arrears shall be paid to the writ petitioners by 15th December, 2025."

8. In line with the above observation of the Hon'ble Division Bench, since the petitioner is similarly circumstanced as of the petitioners before the Hon'ble Division Bench, the petitioners shall be granted 'A' category pay-scale with effect from the date of declaration of result of D.El.Ed. (online) examination held in the month of March, 2019, that is, 22nd May, 2019 and that the arrear salary, if any, shall be paid to the petitioners by 10th February, 2026.
9. With the above direction, the writ petition being **WPA 5429 of 2025** stands disposed of.
10. Learned advocate-on-record for the petitioner is directed to communicate this order to the authority concerned for necessary compliance.
11. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
12. Interim order, if any, stands vacated.
13. All connected applications, if any, stand disposed of.
14. There shall be no order as to costs.

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

(Bivas Pattanayak, J.)