

02.01.2026
Sl. No.15
Ct. No.14
gd

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

WPA/9767/2025
NAZIR HOSSAIN MOLLAH
VS
STATE OF WEST BENGAL AND ORS.

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

...for the Petitioner.

Mr. Santanu Kumar Mitra, Sr. Govt. Adv.
Mr. Subhabrata Das

...for the State.

Mr. Bhaskar Prasad Vaisya
Mr. Gourav Das

...for the DPSC, South 24-Parganas.

1. By the present writ petition, the petitioner seeks direction upon the respondent authorities to grant 'A' category scale of pay in favour of the petitioner with effect from the date of last examination i.e. 16th March, 2019.
2. The petitioner contends that the petitioner joined as primary school teacher as an untrained candidate. The petitioner completed and passed D.El.Ed. online course for the session 2017-19. The results of such examination was declared on 22nd May, 2019. The petitioner obtained the certificate on 8th January, 2025. The petitioner made a representation on 23rd April, 2025 for grant 'A' category scale of pay in favour of the

petitioner with effect from the date of last examination i.e. 16th March, 2019. However, no steps have been taken. Hence, this writ petition.

3. Mr. Anindya Lahiri, learned Senior Advocate appearing for the petitioner submits that the petitioner is entitled to 'A' category scale of pay from the date of publication of the result, i.e. on 22nd May, 2019. To buttress his decision he relies on the decision of the Hon'ble Division Bench 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 petitioner is similarly circumstanced as of the petitioners before the Hon'ble Division Bench in ***Chandan Kumar Majee (supra)***. He seeks that similar benefit be extended to the petitioners in the light of the decision of the Hon'ble Division Bench.
4. Learned Advocates for the State as well as the District Primary School Council, Nadia submits that the Hon'ble Division Bench has passed order for entitlement of 'A' category scale of pay from the date of publication of the results.
5. It is not in dispute that the result of the D.El.Ed. (online) examination has been declared on 22nd May, 2019. The petitioner has successfully passed the said course and obtained certificate on 8th January, 2025.

6. The Hon'ble Division Bench in respect of the similarly circumstanced petitioners in MAT 1522 of 2024 observed as follows:

"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."

7. The petitioner is similarly circumstanced as of the petitioner in MAT 1522 of 2024. In view of the aforesaid order passed by the Hon'ble Division Bench, the petitioner 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 petitioner by 10th February, 2026.
8. With the above direction, the writ petition being **WPA 9767 of 2025** stands disposed of.
9. Learned advocate-on-record for the petitioner is directed to communicate this order to the authority concerned for necessary compliance.
10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
11. Interim order, if any, stands vacated.
12. All connected applications, if any, stand disposed of.
13. There shall be no order as to costs.

14. 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.)