

02.01.2026
Sl. No.20
Ct. No.14
ss

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

W.P.A. No. 11561 of 2025

**Dipendu Sengupta
Versus
The State of West Bengal & Ors.**

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

...for the Petitioner.

Ms. Rupsha Chakraborty
Ms. Amrita Tewari

...for the State.

Mr. Bhaskar Prasad Vaisya
Mr. Gourav Das

... for the D.P.S.C.,
South 24-Parganas

1. Report filed by the State is taken on record.
2. 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 16th March, 2019 being the last date of examination of Diploma in Elementary Education (*in short, 'D.El.Ed'*) course.
3. The petitioner contends that he joined as a primary school teacher in the District of South 24-Parganaws as an untrained teacher. The petitioner completed the D.El.Ed. course for the session 2017-2019. The petitioner was granted 'A' category scale of pay from 26th August, 2022 i.e. the date of obtaining the

certificate. The petitioner ought to have been granted 'A' category scale of pay from the last date of examination of D.El.Ed i.e. 16th March, 2019. The petitioner made representation before the appropriate authority on 5th May, 2025 for grant of such scale. However, no steps have been taken. Hence, this writ petition.

4. Mr. Anindya Lahiri, learned Senior Advocate appearing on behalf of the petitioner submits that the authority concerned ought to have granted 'A' category scale of pay in favour of the petitioner from the date of declaration of the result, that is, 22nd May, 2019. To buttress his contention, 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 petitioner in the light of the decision of the Hon'ble Division Bench.
5. Ms. Rupsha Chakraborty, learned Advocate for the State submits that the 'A' category scale of pay may be granted to the petitioner from the last date of examination, that is 16th March, 2019 provided that the petitioner must upgrade his Higher Secondary qualification within the stipulated time prescribed by

the District Primary School Council i.e. 22nd May, 2019. In the instant case the petitioner completed his senior Secondary School Examination on 26th September, 2022, so the claim of the petitioner is not justified at all.

6. Admittedly, the petitioner has passed D.El.Ed. examination for the sessions 2017-2019 and the result of which has been declared on 22nd May, 2019.
7. At this stage, it will be profitable to reproduce the observation of the Hon'ble Division Bench in respect of the similarly circumstanced petitioners in MAT 1522 of 2024 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."

8. The petitioner is similarly circumstanced as of the petitioners 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 result declaration of D.El.Ed. (online) examination held in the month of March, 2019 i.e. 22nd May, 2019 and that the arrear salary, if any, shall be paid to the petitioner by 10th February, 2026.
9. With the above direction, the writ petition being **WPA 11561 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.
16. 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.)