

20.02.2026
Sl. No. 23
Ct. No.14
AN

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

WPA/14832/2025
FIROZUDDIN AHAMMED
VS
STATE OF WEST BENGAL AND ORS.

Mr. Anindya Bose
Mr. Golam Mohiuddin
Mr. Mridul Biswas
Ms. Raina Das
Mr. Md. Kaif Hossain

...for the Petitioner.

Mr. Srijan Nayak
Mr. Sandipan Maity

...for the State.

Mr. Avishek Prasad

...for the DPSC, Malda.

1. Affidavit of service filed by the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks direction upon the respondent authorities particularly respondent No.3, the Commissioner of School Education, Government of West Bengal to consider the prayer of the petitioner for grant of 'A' category scale of pay.
3. The petitioner contends that the petitioner was appointed as an Assistant Teacher on 27th February, 2025 in the Banshbari Taherpur Pry./Jr. Basic School, Taherpur, Raniganj II, District Malda pursuant to the recruitment process of 2009. Since the petitioner did not get appointment, he approached this Hon'ble Court in WPA 11903 of 2024 (annexure P-3). Subsequent to

passing of the order by the Hon'ble Court, the petitioner was given appointment on 27th February, 2025. Though the petitioner has not yet completed six months bridge course, however, she possesses B.Ed qualification. The petitioner has not been granted 'A' category scale of pay. Hence, this writ petition.

4. Mr. Anindya Bose, learned Advocate appearing for the petitioner submits that the claim of the petitioner for grant of 'A' category scale of pay be relegated to the appropriate authority for due consideration. In support of his contention, he relies on the following decisions:
 - (i) *Waliur Rahaman & Ors. versus The State of West Bengal & Ors. (In Re: MAT 1038 of 2024);*
 - (ii) *Khokan Das versus The State of West Bengal & Ors. (In Re: WPA 13023 of 2025);*
 - (iii) *Mahammad Enamul Haque versus The State of West Bengal & Ors. (In Re: WPA 29672 of 2024);*
 - (iv) *Rezaul Saikh & Ors. versus The State of West Bengal & Ors. (In Re: WPA 22526 of 2024);*
 - (v) *Tuhin Hossain versus The State of West Bengal & Ors. (In Re: WPA 19110 of 2025).*
5. Mr. Avishek Prasad, learned Advocate appearing for the District Primary School Council, Malda submits that after passing of the order by the Hon'ble Supreme Court in ***Devesh Sharma vs. Union of India*** reported in **2023 SCC OnLine SC 985**, B. Ed. Qualification is no longer a recognised training qualification for teaching students in the primary level in the Schools. Therefore, the petitioner prior to seeking 'A' Category

Scale of Pay has to complete the six months bridge course as per the direction passed by the Hon'ble Supreme Court.,

6. Mr. Srijan Nayak, learned advocate representing the State also submits in the similar breath.
7. In *Waliur Rahaman (supra)* 'A' Category Scale of Pay was granted to the appellants since they were similarly circumstanced as that of the 3446 number of candidates who were already granted the said pay scale. The Coordinate Benches of this Court in the above decisions relied on behalf of the petitioner relegated the matter to the authority concerned for consideration of the prayer of the petitioner therein for grant of 'A' Category Scale of Pay.
8. It is found that the petitioner has not filed any comprehensive representation seeking for 'A' category scale of pay.
9. In view of the above, the petitioner is granted liberty to file appropriate comprehensive representation seeking for 'A' category scale of pay before the respondent No.3, Commissioner of School Education, Government of West Bengal within a period of four weeks for the date of this order. Upon receipt of such representation, the respondent No.3, Commissioner of School Education, Government of West Bengal shall consider the representation of the petitioner and dispose of the same by passing a reasoned order in accordance with law upon giving notice to the petitioner within a period

of 12 weeks from date of receipt of such representation.

10. Such reasoned order is to be communicated to the petitioner within a period of one week from the date of passing of such order.
11. Learned advocate for the petitioner is directed to communicate this order to the respondent No.3, the Commissioner of School Education, Government of West Bengal, for necessary compliance.
12. With the above direction, the writ petition being **WPA 14832 of 2025** stands disposed of.
13. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
14. Interim order, if any, stands vacated.
15. All connected applications, if any, stand disposed of.
16. There shall be no order as to costs.
17. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
18. 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.)