06-10-2026
Item No.11
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.15607 of 2026
Gourhari Mandal
-vs-
The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri
Mr. Ankan Mondal
Mr. Manmohan Singh Roop Roy
...for the petitioner

Ms. Koyeli Bhattacharya
Mr. Subhomoy Paul ...for the State

1. The petitioner's prayer for higher scale of pay on enhancement of educational qualification was forwarded by the Additional District Inspector of Schools (SE), Contai to the Commissioner of School Education way back on October 19, 2016. The same has not been disposed of by the Commissioner till date.

2. Learned counsel for the petitioner submits that there is certain wrong information that has been forwarded by the ADI of Schools to the Commissioner. If the Commissioner takes a decision relying on such incorrect information, then the petitioner will be severely prejudiced.

3. The petitioner intends to place the proper facts before the authority. Prayer has been made to direct the respondent authority to take a decision in the matter relying upon proper facts and the law laid down by the Court in the matter of **Utpal Kanti Karan & Ors. –vs- State of West Bengal &**

Ors. reported in **(2024) SCC OnLine Cal 1274.**

4. Learned counsel for the State relies on the instruction forwarded by the District Inspector of Schools (SE), Purba Medinipur signed on July 13, 2026.

5. The DI of Schools has mentioned that the matter of enhancement of pay for acquiring higher qualification has been settled by the Special Bench of this Court in the matter of Utpal Kanti Karan & Ors. **(**supra). The Assistant Secretary to the Government of West Bengal, School Education Department (Law Branch), vide letter dated December 18, 2024 directed the authority to take a decision in terms of the law laid down in the matter of Utpal Kanti Karan & Ors. **(**supra**)**.

6. The DI of Schools has mentioned that if the petitioner submits his application along with all necessary documents in his favour, then his claim will be considered on the basis of the judgment in the matter of Utpal Kanti Karan & Ors. **(**supra**)**.

7. As it appears that the DI of Schools intends to consider the prayer of the petitioner for grant of higher scale of pay relying on the ratio laid down in the matter of Utpal Kanti Karan (supra), the instant writ petition is disposed of with the observation that it will be open for the petitioner to file a comprehensive representation disclosing all facts and figures before the DI of Schools.

8. On receipt of such application, the DI of Schools shall take steps to consider the same in the light of the law laid down in the matter of Utpal Kanti Karan & Ors. **(**supra**)** at the earliest but positively within a period of ninety days from the date of submitting the representation. A reasoned order

shall be passed and communicated to the petitioner forthwith thereafter.

9. If the prayer of the petitioner is allowed, then necessary consequential steps shall be taken without any further delay.

10. The writ petitioner is disposed of.

11. All parties are to act on the server copy of this order duly downloaded from the official website of this court.

12. Certified server copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]