

M/L 14  
02.02.2026  
Court No.18  
SD

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION

WPA 16460 of 2024

Soumitra Pal

Vs.

The State of West Bengal & Ors.

*Mr. Shuvro Prakash Lahiri*

*Mr. Rajesh Naskar*

*Mr. Ankan Mondal*

*...for the Petitioner.*

*Mr. Tapas Kumar Roy*

*...for the State.*

1. The order dated July 22, 2019 passed by the District Inspector of Schools (Secondary Education), Kolkata rejecting the petitioner's prayer for grant of Post Graduate scale of pay is impugned in the instant writ petition.

2. It has been submitted by the petitioner that as the petitioner joined the Post Graduate course prior to his appointment, there was no scope on his part to obtain prior permission.

3. According to the petitioner, he is entitled to the higher scale of pay on and from the next date of completion of the Post Graduate examination.

4. The petitioner relies on the judgment delivered by the Special Bench of this Court in the matter of ***Utpal Kanti Karan vs. State of West Bengal & Ors.*** reported in 2024 SCC OnLine Cal 1274.

5. Prayer has been made to direct the District Inspector of Schools to grant higher scale of pay to the

petitioner upon setting aside the impugned communication.

6. Learned advocate representing the State submits that the Assistant Secretary, School Education Department, Law Branch has circulated instruction to all the District Inspector of Schools to take decision in respect of the issue of grant of higher scale of pay relying on the judgment delivered by the Court in the matter of **Utpal Kanti Karan** (supra).

7. As it appears that the issue in question has been decided by the Special Bench of this Court and the respondent authorities are agreeable to revisit the issue, accordingly, the impugned rejection dated July 22, 2019 stands set aside.

8. The District Inspector of Schools (Secondary Education), Kolkata is directed to revisit the issue on the prayer of the petitioner for grant of higher scale of pay strictly in accordance with law laid down in the matter of **Utpal Kanti Karan** (supra) after giving reasonable opportunity of hearing to all the necessary parties at the earliest but positively within a period of twelve weeks from the date of communication of this order.

9. Fresh reasoned order shall be passed and communicated to the petitioner.

10. If the prayer of the petitioner is allowed, then necessary consequential steps for releasing higher scale of pay shall be taken without any further delay.

11. The writ petition stands disposed of.

12. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

**(Amrita Sinha, J.)**