

30.03.2026
Sl. No.72
Ct. No.14
ss

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

W.P.A. No. 16377 of 2025

**Sk. Md. Abu Bakkar
Versus
The State of West Bengal & Ors.**

Mr. Ashis Kr. Paul
Ms. Shilpi Paul
Ms. Tithi Paul

...for the Petitioners

Mr. Saibal Acharyya
Mr. Tanweer J. Mondal

... for the DPSC, Purba Bardhaman

Mr. Gourav Das
Mr. Shibasish Chatterjee

... for the State

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 nos.2 to 8 to extend 'A' category scale of pay to the petitioner from the date of completion of Primary Teachers Training (*in short PTT*) course with effect from June, 2006 along with interest.
3. The petitioner contends that he joined as an Assistant Primary Teacher on 27th July, 2000 at Purbanoyapara (West) Free Primary School under Monglkote-III Circle in the District of Burdwan vide Memo No.Apptt/987/1(7) dated 20th July, 2000 as an untrained teacher. The service of the petitioner was confirmed. Subsequent thereto, the petitioner was transferred to Majigram F.P. School vide Memo No.410(95) dated 28th January, 2003 issued by the

District Primary School Council, Purba Bardhaman. Thereafter he was transferred to Chaitanyapur F.P. School under Mongalkote-III Circle vide Memo No.1800(165) dated 31st May, 2004 issued by the District Primary School Council, Purba Bardhaman. The petitioner completed the Primary Teachers Training course for the session 2005-2006, the result of which was declared on 14th July, 2011. The petitioner claims that the 'A' category scale of pay ought to have been granted to the petitioner from the date of completion of course, i.e. June, 2006. Hence, this writ petition.

4. Mr. Ashis Kr. Paul, learned Advocate appearing for the petitioner submits that as per the notification dated 26th July, 2005 issued by the District Primary School Council, Purba Bardhaman, the petitioner registered himself for completing the Primary Teachers Training course for the session 2005-2006. By a subsequent notification dated 4th March, 2013 it was notified that the teachers who have attained 1 year/2 years Diploma in Elementary Education from State recognized institutions and appointed as teacher on or before 31.12.2005 shall be treated as '*trained teacher*'. The Hon'ble Division Bench in *Sunil Tudu -versus- State of West Bengal & ors. (MAT 107 of 2022)* along with other appeals in similarly circumstances have held that the petitioners are entitled to 'A' category scale of pay. The date from which the entitlement of the petitioner's 'A' category scale of pay also fell for

consideration before a Co-ordinate Bench of this Hon'ble Court in *Swapan Kumar Das -versus- The State of West Bengal & ors. (WPA 10630 of 2024)* along with other writ petitions wherein effect has been given from June, 2006. He also indicates that consistently in respect of other candidates, this Hon'ble Court has passed orders subsequent thereto entitling the petitioners to 'A' category scale of pay with effect from June, 2006. There is no appeal against the orders passed by the learned Single Judge in respect of the similarly circumstanced petitioners as aforesaid. In light of the aforesaid submission, he prays that the petitioner who is also similarly circumstanced be extended the benefit of 'A' category scale of pay with effect from June, 2006.

5. Mr. Saibal Acharyya, learned Advocate appearing on behalf of the District Primary School Council, Purba Bardhaman and Mr. Gourav Das, learned Advocate appearing on behalf of the State leave the matter to the discretion of the court.
6. Having considered the submissions of the learned Advocates for the respective parties, the issue which falls for consideration is whether the petitioner is entitled to 'A' category scale of pay from the date of completion of the training, i.e. June, 2006.
7. So far as the entitlement of 'A' category scale of pay is concerned, in case of similarly placed teachers the Hon'ble Division Bench in *Sunil Tudu (supra)* granted 'A' category scale of pay to the appellant therein.

8. The second aspect which falls for consideration is from which date the petitioner will be entitled to 'A' category scale of pay.
9. A Co-ordinate Bench in similar situation passed orders in (i) *Khelaram Dhara -verrsus- The State of West Bengal & ors. (WPA 4381 of 2024)*, (ii) *Menoka Murmu – versus- The State of West Bengal & ors. (WPA 4378 of 2024)*, (iii) *Swapan Kumar Das (supra)* granting 'A' category scale of pay with effect from June, 2006.
10. Accordingly, in line with the aforesaid decisions, the petitioner is entitled to 'A' category scale of pay with effect from June, 2006.
11. The concerned authorities are directed to take necessary steps in view of the observations made hereinabove within a period of two months from the date of communication of this order.
12. With the above direction, the writ petition being **WPA 16377 of 2025** stands disposed of.
13. Learned advocate for the petitioner is directed to communicate this order to the concerned respondents for necessary compliance.
14. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
15. Interim order, if any, stands vacated.
16. All connected applications, if any, stand disposed of.
17. There shall be no order as to costs.
18. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

19. 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.)