

30.01.2026
Sl. No.27
Ct. No.14
gd

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

WPA/18074/2025

SWADESH SAMANTA
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Rajdeep Bhattacharya,
Mr. Himadri Ghosh

...for the Petitioner.

Mr. Ratul Biswas
Mr. Kaushik Chowdhury

...for WBBPE.

Mr. Bhaskar Prasad Vaisya
Mr. Gourav Das
Ms. Tapati Sarkar

...for the DPSC, South 24-Parganas.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee

...for the State.

1. This matter is appearing in list under the heading “*To Be Mentioned*”.
2. On the prayer of learned advocate for the petitioner, leave is granted to implead West Bengal Board of Primary Education as added respondent no.6.
3. Affidavit-of-service filed on behalf of the petitioner is taken on record.
4. By the present writ petition, the petitioner seeks direction upon the respondent authorities for grant of ‘A’ category scale of pay to the petitioner from the date of

joining as Assistant Teacher in terms of Memorandum being No.209-SE(E)/PTTI-7/2011 dated 4th March, 2013 issued by the Joint Secretary, School Education Department, Government of West Bengal.

5. The petitioner contends that he joined Chandi Shiksha Sadan FP School under Bihnupur-II Circle as Assistant Teacher on 1st September, 2023. The petitioner has completed Diploma in Elementary Education (D.El.Ed.) for the session 2016-18, the results of which were published on 22nd April, 2019. The petitioner is entitled to 'A' category scale of pay from the date of his joining in the said institution. Moreover, the same is not granted, hence, this writ petition.
6. Mr. Rajdeep Bhattacharya, learned Advocate for the petitioner submits that the petitioner has completed D.El.Ed. Course prior to joining as Assistant Teacher and as such he is entitled to 'A' category scale of pay from the date of his joining.
7. Mr. Kaushik Chowdhury, learned Advocate for the West Bengal Board of Primary Education submits that the petitioner is entitled to 'A' category scale of pay from the date of his joining since he already completed such course prior to his joining. However, in the event the same is not granted till date, the petitioner may be entitled to the same.
8. None appears on behalf of the State.
9. Mr. Arindam Chattopadhyay, learned Advocate along with his junior, Ms. Lipika Chatterjee, learned advocate,

who usually appear for the State, are requested to appear in this matter. Let their appointment be regularised.

10. The petitioner is directed to hand over a copy of the writ petition along with the annexures to Mr. Arindam Chattopadhyay, learned advocate for the State.
11. Mr. Chattopadhyay, learned advocate for the State and Mr. Bhaskar Prasad Vaisya, learned Advocate for the District Primary School Council, South 24-Parganas leave the matter to the discretion of the Court.
12. It is found that prior to joining as Assistant Teacher the petitioner successfully completed D.El.Ed. Course for the session 2016-18, the results of which were declared on 22nd April, 2019.
13. In view of the above, the petitioner is entitled to 'A' category scale of pay from the date of his joining i.e. 1st September, 2023, in the event such scale has not yet been granted and arrear salary, if any, shall be paid to the petitioner by end of March, 2026.
14. With the above direction, the writ petition being **WPA 18074 of 2025** stands disposed of.
15. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
16. Interim order, if any, stands vacated.
17. All connected applications, if any, stand disposed of.
18. There shall be no order as to costs.

19. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
20. 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.)