

29.06.2026
Sl. No.36(DL)
Ct. No.14
srm

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

W.P.A. No. 18168 of 2025

Gargy Bera Chakraborty

Versus

The State of West Bengal & Ors.

Mr. Subhrangsu Panda,
Ms. Haritri Roy,
Mr. Anupam Singha

...for the Petitioner.

Mr. Ranjan Saha

...for the DPSC, Paschim Medinipur.

Mr. Brinejndra Pratap Singh
Mr. Asit Kumar De

...for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks direction upon the respondent authorities for grant of 'A' category scale of pay with effect from end of session i.e. 31st March, 2019 of Diploma in Elementary Education (in short D.El.Ed.) Training Course.
3. The petitioner contends that she joined as an Assistant Teacher in Salboni Kanailal Free Primary School under Sadar North Circle on 20th January, 1995 as an untrained candidate. Subsequently, the petitioner was transferred to Shyamsundarpur Primary School under Debra Circle, District-Paschim Medinipur and she is presently working in the said school. The petitioner has successfully completed D.El.Ed. final examination for the session 2017-2019, the results of which was

declared on 22nd May, 2019. However, the petitioner has not been granted 'A' category scale of pay from the publication of result of D.El.Ed. i.e. 22nd May, 2019. Hence, this writ petition.

4. Mr. Subhrangsu Panda, learned Advocate for the petitioner submits that the authority concerned ought to have granted 'A' category scale of pay in favour of the petitioner from the date of declaration of the result, that is, 22nd May, 2019. To buttress his contention, he relies on the decision of the Hon'ble Division Bench in *M.A.T. 1522 of 2024 (District Primary School Council, Purba Medinipur & anr. -versus- Chandan Kumar Majee & others)* along with other appeals. He submits that the petitioner is similarly circumstanced as of the petitioners before the Hon'ble Division Bench in *Chandan Kumar Majee (supra)*. He seeks that similar benefit be extended to the petitioner in the light of the decision of the Hon'ble Division Bench.
5. Learned Advocates for the District Primary School Council, Paschim Medinipur as well as State leave the matter to the discretion of this Court.
6. Admittedly, the petitioner has passed D.El.Ed. examination for the sessions 2017-2019 and the result of which has been declared on 22nd May, 2019.
7. At this stage, it will be profitable to reproduce the observation of the Hon'ble Division Bench in respect of the similarly circumstanced petitioners in MAT 1522 of 2024 as follows:

“In view thereof, the orders passed by the learned single Judge in the respective writ petitions are modified to the effect that the writ petitioner/respondent no.1 in the respective appeals shall be granted 'A' category pay-scale with effect from the date of result declaration of D. EL. Ed (online) examination held in March 2019, i.e., 22nd May, 2019 and that the arrears shall be paid to the writ petitioners by 15th December, 2025.”

8. The petitioner is similarly circumstanced as of the petitioners in MAT 1522 of 2024. In view of the aforesaid order passed by the Hon'ble Division Bench, the petitioner shall be granted 'A' category pay-scale with effect from the date of result declaration of D.El.Ed. (online) examination held in the month of March, 2019 i.e. 22nd May, 2019 and that the arrear salary, if any, shall be paid to the petitioner by end of July, 2026.
9. With the above direction, the writ petition being **WPA 18168 of 2025** stands disposed of.
10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
11. Interim order, if any, stands vacated.
12. All connected applications, if any, stand disposed of.
13. There shall be no order as to costs.
14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
15. 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.)