

06.04.2026
Sl. No.1009(ML)
Ct. No.14
srn

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

W.P.A. No. 20085 of 2025

Swadhin Kumar Pal

Versus

The State of West Bengal & Ors.

Mr. Bhagabat Chowdhury,
Mr. Sourojit Mukherjee

...for the Petitioner.

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury

...for the WBBPE.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Despite service, none appears on behalf of the State as well District Primary School Council, Bankura.
3. By the present writ petition, the petitioner seeks direction upon the respondent authorities for grant of notional benefit from February, 2017.
4. The petitioner contends that he participated in TET, 2014. The petitioner was declared successful in 2014 after awarding six marks pursuant to the order passed by this Court in WPA 23797 of 2017. The candidature of the petitioner was considered in recruitment process, 2016 and appointment letter was given on 1st October, 2021. Some of the candidates were given appointment with regard to recruitment process, 2016 from February, 2017. The

petitioner claims notional benefit to be granted from February, 2017. Hence, this writ petition.

5. Mr. Bhagabat Chowdhury, learned Advocate for the petitioner submits that the petitioner is similarly circumstanced as of the petitioners in earlier writ petition where notional benefits have been granted. As such the petitioner is entitled to similar benefits. Reliance is placed on the decision of this Court passed in *Masidul Haque & Ors. versus The State of West Bengal & ors. in WPA 22152 of 2024* with *Payel Bag & Ors. versus The State of West Bengal & Ors. in WPA 24234 of 2024*.
6. Learned Advocate for the Board submits that the petitioner is similarly circumstanced.
7. Bearing in mind, the circumstances, as noted hereinabove, since the petitioner is similarly circumstanced as that of the petitioner in the aforementioned writ petitions, hence there is no impediment in directing the respondent authorities to give notional benefit to the petitioner from February, 2017.
8. Accordingly, the concerned respondent authorities are directed as follows.
 - (i) To fix the pay of the petitioner granting notional benefits from February, 2017.
 - (ii) On upward fixation of pay of the petitioner by granting notional benefits, payment shall be made from the date of appointment of the

petitioners. If any increment has been given to the teacher who joined in February, 2017 till October 2021 the same shall be made available to the petitioner prospectively from the date of his joining. The salary slip and the pay scale of the petitioner shall be revised accordingly.

- (iii) It is clarified that the petitioner will not be entitled to monetary benefits from February, 2017.
 - (iv) The petitioner shall also be entitled to the notional increments and the length of his service shall be calculated from February, 2017.
 - (v) Arrears, if any, from October, 2021 till date shall be paid to the petitioner.
9. The Commissioner of School Education is directed to pass formal order on completion of aforesaid exercise within a period of twelve weeks from the date of communication of this order.
 10. Learned Advocate for the petitioner is directed to communicate this order to respondent Commissioner of School Education, Government of West Bengal for necessary compliance.
 11. With the above directions, the writ petition being **WPA 20085 of 2025** stands disposed of.
 12. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
 13. Interim order, if any, stands vacated.

14. All connected applications, if any, stand disposed of.
15. There shall be no order as to costs.
16. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
17. 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.)