

06.02.2026
Sl. No.21(DL)
Ct. No.14
srm

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

W.P.A. No. 20284 of 2025

Shibaji Naskar & Ors.

Versus

The State of West Bengal & Ors.

Mr. Ali Ahsan Alamgir,
Ms. Soma Mal,
Ms. Rabia Khatoon,
Ms. June Modak

...for the Petitioner.

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

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

Mr. Sanjib Das,
Ms. Dipa Bhattacharya

...for the State.

1. Deficit court fees deposited by the petitioner through e-challan is taken on record.
2. Affidavit-of-service filed on behalf of the petitioner is taken on record.
3. Report filed by the State is taken on record.
4. By the present writ petition, the petitioners seek direction upon the respondent authorities to grant 'A' category scale of pay to the petitioners with effect from their respective dates of joining to their respective schools.
5. The petitioners contend that they participated in the Recruitment Process of 2009. The petitioners were appointed in different schools under District Primary School Council, South 24-Parganas in the year 2023 and 2024. Prior to their joining the service the petitioners were in service in different private schools

and while in service they completed 18 months D.El.Ed. course. The petitioners were recommended to undergo further training for D.El.Ed. Two Years course in the year 2024. Being aggrieved by such action of the DPSC, South 24-Parganas, the petitioners moved a writ petition before this Hon'ble Court being WPA 18324 of 2024.

6. The said writ petition was disposed of on 26th July, 2024 as follows:

"In the instant case, the petitioners have obtained the D.El.Ed. training from NIOS within 1st April, 2019 accordingly, they may not be directed to obtain further training. The training of the petitioners should be considered enough for teaching in the primary schools more so because some of the Councils have already accepted such training and treated such candidates as trained ones.

It is made clear that whether or not the petitioners will be entitled to 'A' category scale of pay with the 18 months NIOS D.El.Ed. ODL mode training is not being adjudicated in the instant writ petition. It will be open for the petitioners to approach the appropriate forum for further relief, if so advised."

7. Pursuant thereto, the petitioners made representations before the Chairman, District Primary School Council, South 24-Parganas seeking for grant of 'A' category scale of pay. However, those are still pending consideration. Hence, this writ petition.
8. Mr. Ali Ahsan Alagmir, learned Advocate appearing for the petitioners submits that since the petitioners completed their 18 months D.El.Ed. course while in service further training is not necessary. On the basis of such training qualification, the petitioners are entitled to 'A' category scale of pay. He seeks that the

matter be relegated to the appropriate authority to take a decision on the aforesaid aspect.

9. On the contrary, Mr. Sanjib Das, learned Advocate for the State-respondents submits that no such document has been annexed to the writ petition that the petitioners were in service while completing 18 months D.El.Ed. course. Therefore, the petitioners cannot take the benefit of 18 months D.El.Ed. course. Furthermore, the order passed by a coordinate Bench of this Court has categorically observed whether or not the petitioners will be entitled to 'A' category scale of pay with the 18 months NIOS D.El.Ed. ODL mode training is not being adjudicated in the instant writ petition.
10. Mr. Gourav Das, learned Advocate for the DPSC, South 24-Parganas submits that the representations by other candidates are being considered by the Chairman. The matter may be relegated to the appropriate authority for due consideration.
11. It is found from the order of the coordinate Bench that it has granted liberty to the petitioners to approach the appropriate forum for further relief. Pursuant to such orders, the petitioner Nos.1, 2, 4, 6, 7 to 12 made representations before the Chairman, DPSC, South 24-Parganas.
12. Accordingly, respondent No.6, the Chairman, District Primary School Council, South 24-Parganas is directed to consider the representation of the

petitioners and dispose of the same separately by distinct reasoned order and upon notice to the petitioner nos.1, 2, 4, 6, 7 to 12 within a period of eight weeks from the date of communication of this order.

13. The reasoned order shall be communicated to the concerned petitioners within a week from the date of passing of such order.
14. Learned advocate for the petitioners is directed to communicate this order along with copy of representations to respondent No.6, Chairman, District Primary School Council, South 24-Parganas, for necessary compliance.
15. With the above direction, the writ petition being **WPA 20284 of 2025** stands disposed of.
16. In light of the order passed in the earlier writ petition being WPA 18324 of 2024, it is left open to the rest of the petitioners to seek appropriate relief, if so advised.
17. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
18. Interim order, if any, stands vacated.
19. All connected applications, if any, stand disposed of.
20. There shall be no order as to costs.
21. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

22. 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.)