

14.01.2026
Sl. No.9(DL)
Ct. No.14
srm

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

W.P.A. No. 21585 of 2024

Moumita Biswas

Versus

The State of West Bengal & Ors.

Mr. Chittapriya Ghosh,
Mr. Somesh Kumar Ghosh,
Ms. Priyanka Saha,
Mr. Suman Mukherjee,
Ms. Tulika Bag

...for the Petitioner.

Ms. Neelam Singh

...for the State.

Mr. Saibal Acharya,
Mr. Tanweer Jamil Mandal

...for the DPSC, Prba Bardhaman.

1. This matter is appearing in list under the heading "*To Be Mentioned*".
2. Affidavit-of-service filed on behalf of the petitioner is taken on record.
3. By the present writ petition, the petitioner seeks direction upon the respondent authorities particularly the respondent No.5 for grant of 'A' category scale of pay to the petitioner on and from 16th March, 2019, i.e. the last date of D.El.Ed. final examination 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.
4. The petitioner contends that she joined in the post of untrained Assistant Teacher at Minapur JR Basic

School under Purbasthali Circle, District-Purba Bardhaman as an untrained candidate. The petitioner completed D.El.Ed. final examination for the session 2017-19. Thus, the petitioner is entitled to 'A' category scale of pay from last date of examination of D.El.Ed. course. Hence, this writ petition.

5. Mr. Chittapriya Ghosh, learned Advocate for the petitioner submits that the controversy as to from which date the petitioner will be entitled to 'A' category scale of pay has been set at rest by the Hon'ble Division Bench of this Court in ***District Primary School Council, Purba Medinipur & Anr. versus Prasanta Dolai & Ors. (In Re: FMA 1029 of 2024)*** and other appeals and it has been held that the entitlement of 'A' category scale of pay shall be the date of declaration of the result. He seeks that similar benefit be extended to the petitioner in the light of the decision of the Hon'ble Division Bench.
6. Despite service, none appears on behalf of the State.
7. Ms. Neelam Singh, learned Advocate, who usually appears on behalf of the State-respondents is requested to appear in this matter. The appearance of Ms. Singh be regularised by the concerned authority.
8. Let a copy of the writ petition along with its annexure be served upon Ms. Singh, learned Advocate for the State respondents.
9. Ms. Neelam Singh, learned Advocate for the State as well as Mr. Saibal Acharya, learned Advocate for the

District Primary School Council, Purba Bardhaman
leave the matter to the discretion of the Court.

10. The Hon'ble Division Bench in respect of the similarly
circumstanced petitioners in FMA 1029 of 2024
observed 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."*

11. Admittedly the petitioner is similarly circumstanced as
of the petitioners in the earlier writ petitions. 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 and arrear salary, if any, shall be paid to
the petitioner by end of February, 2026.

12. With the above direction, the writ petition being **WPA
21585 of 2024** stands disposed of.

13. Since no affidavits have been called for, the allegation
made in the writ petition is deemed to be not admitted.

14. Interim order, if any, stands vacated.

15. All connected applications, if any, stand disposed of.

16. There shall be no order as to costs.

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

18. 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.)