

21.01.2026
Sl. No.16(DL)
Ct. No.14
srm

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

**W.P.A. No. 21427 of 2025
Syed Matiur Rahaman @ Sayed Matiur Rahaman
Versus
The State of West Bengal & Ors.**

Mr. Abhishek Chakraborty,
Mr. Musharaf Alam Sheikh

...for the Petitioner.

Mr. Ibrahim Seikh,
Mr. Soumyajit Ghosh

...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 to pay and release the arrear claims arising out of higher scale of pay together with interest.
3. The petitioner contends that he was appointed as an Assistant Teacher in Chandua Damaipur Junior High Madrasah on 26th April, 1992. The petitioner passed M.Sc. in Botany held in the month of May, 1992 from Bhupendra Narayan Mondal University upon prior permission from the Madrasah authorities. The service of the petitioner was approved on 18th July, 1996. The petitioner made an application before the District Inspector of Schools (SE), Malda praying for higher scale of pay with effect from 1st May, 1995. Since the higher scale of pay was not granted the petitioner was

constrained to file a writ petition being W.P. No.720 (W) of 2014 which was disposed of on 12th March, 2014 with the following direction:

“Accordingly the concerned District Inspector of Schools (SE), Malda is directed to decide the matter within six weeks from the date of communication of this order upon given an opportunity of hearing to the petitioner and/or his authorized representative and to allow him to produce all relevant circulars, documents and judgments in support of his claim. The District Inspector of Schools (SE), Malda is also directed to consider the letter dated 13th April, 2006 issued by B.N. Mondal University, Bihar. The D.I. of Schools is further directed to pass a reasoned order and to communicate the same to the writ petitioner within two weeks from the date of passing such order.”

4. Pursuant thereto, the higher scale of pay was approved in favour of the petitioner on 16th January, 2017. However, the arrear of claims towards higher scale of pay was not paid to the petitioner. Hence, this writ petition.
5. Mr. Abhishek Chakraborty, learned Advocate for the petitioner submits that although by letter dated 26th September, 2024 the District Inspector of Schools (SE), Malda has communicated to the Director of Madrasah Education of the entitlement of the petitioner of arrears amounting to Rs.4,99,390/- and Rs.6,46,938/-, however, the same has not been released in favour of the petitioner as yet. He seeks for appropriate direction upon the Director of Madrasah Education to expedite the release of the aforesaid amount of arrear.
6. Mr. Ibrahim Seikh, learned Advocate for the State leaves the matter to the discretion of the Court.
7. In view of the submissions advanced on behalf of the parties and considering the letter of communication dated 26th September, 2024 (Annexure P/7), the

respondent No.4, the Director, Madrasah Education, Government of West Bengal is directed to consider and take a decision in the matter of arrears of claims of the petitioner upon notice to the petitioner by passing a reasoned order within a period of eight weeks from date of communication of this order.

8. The reasoned order shall be communicated to the petitioner within a week of passing of such order.
9. Learned Advocate for the petitioner is directed to communicate this order to the respondent No.4, the Director of Madrasah Education, Government of West Bengal, for necessary compliance.
10. With the above direction, the writ petition being **WPA 21427 of 2025** stands disposed of.
11. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
12. Interim order, if any, stands vacated.
13. All connected applications, if any, stand disposed of.
14. There shall be no order as to costs.
15. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
16. 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.)