

14.01.2026
Sl. No.35(DL)
Ct. No.14
srm

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

**W.P.A. No. 23004 of 2024
Ashis Kumar Samanta
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.

Mr. Swapan Banerjee, AGP
Mr. Diptendu Narayan Banerjee

...for the State.

Mr. Ranjan Saha

...for the DPSC, Paschim Medinipur.

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 he joined in the post of Assistant Teacher at Rautara Primary School under

Sadar South Circle, District-Paschim Medinipur as an untrained candidate on 10th February, 1995. Presently, the petitioner is posted at Majurkata Primary School under Sadar South Circle, District-Paschim Medinipur. 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. Mr. Diptendu Narayan Banerjee, learned Advocate for the State as well as Mr. Ranjan Saha, learned Advocate for the District Primary School Council, Paschim Medinipur leave the matter to the discretion of the Court.
7. 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.”

8. 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.
9. With the above direction, the writ petition being **WPA 23004 of 2024** 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.)