

30.01.2026
Sl. No.5
Ct. No.14
ss

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

W.P.A. No. 23666 of 2024

**Debashish Sarkar & ors.
Versus
The State of West Bengal & Ors.**

Mr. Shaharayar Alam
Mr. Saiful Alam

...for the Petitioners.

Mr. Santanu Kumar Mitra
Ms. Anandamoyee Ghosh

...for the State.

Mr. Avishek Prasad

... for the DPSC, Malda

1. This matter is appearing in the list under the heading
'To Be Mentioned'.
2. The petitioners are directed to deposit *ad valorem* court
fees, if not already paid.
3. By the present writ petition, the petitioners seek
direction upon the respondent authorities particularly
the respondent No.10, the District Inspector of Schools
(Primary Education), Malda for grant of 'A' category
scale of pay including the arrear to the petitioners on
and from the last date of final examination of D.El.Ed.
training course 2017-2019, i.e., 16th March, 2019.
4. The petitioners contend that they joined in the primary
school as Assistant Teachers as mentioned
hereinbelow-
 - i. Petitioner no.1, Debashish Sarkar joined
Bujurkhail Primary School, Bamangola on 14th
February, 2017;

- ii. Petitioner no.2, Balaram Mallik joined Debar Primary School on 15th January, 2001;
 - iii. Petitioner no.3, Patit Paban Ballav joined Sohorabari Primary School on 16th January, 2001;
 - iv. Petitioner no.4, Barun Kumar Sarkar joined Pakuahat H/A Primary School on 26th April, 1995;
 - v. Petitioner no.5, Jiten Sarkar – Maynafalla Primary School on 14th February, 2017;
 - vi. Petitioner No.6, Nirala Murmu joined Nababnagar Primary School on 15th February, 2017;
 - vii. Petitioner no.7, Kanchan Sarkar joined Sapmari Primary School on 14th February, 2017;
 - viii. Petitioner no.8, Jhuma Baidya joined Ramkrishnapur Primary School on 15th February, 2017.
5. Admittedly, ‘A’ category scale of pay has been granted to petitioner no.1 on 8th July, 2023 and the rest of the petitioners with effect from 26th August, 2022. The petitioners claim ‘A’ category scale of pay from the last date of final examination of the D.El.Ed. training course including arrears.
6. Mr. Shaharayar Alam, learned Advocate for the petitioners submit that the controversy as to from which date the petitioners 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 petitioners in the light of the decision of the Hon'ble Division Bench.

7. Mr. Santanu Kumar Mitra, learned Advocate for the State and Mr. Avishek Prasad, learned Advocate for the DPSC, Malda, leave the matter to the discretion of the Court.
8. 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."

9. Admittedly the petitioners are 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 petitioners 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, i.e. 22nd May, 2019 and arrear salary, if any, shall be paid to the petitioners by end of March, 2026.
10. With the above direction, the writ petition being **WPA 23666 of 2024** 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.)