16.11.2026
Sl. No.86(DL)
Ct. No.14
srm

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 27248 of 2026
Rejaul Alam
Versus
The State of West Bengal & Ors.

Mr. Somesh Kumar Ghosh,
Mr. Suman Mukherjee
...for the Petitioner.
Mr. Biswabrata Basu Mallick
... for the DPSC, Uttar Dinajpur.
Ms. Mary Datta,
Mr. Sourav Sengupta
...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 particularly respondent no.3, District Inspector of Schools (PE), Uttar Dinajpur for grant of 'A' category scale of pay including arrear to the petitioner on and from the last date of final examination of Diploma in Elementary Education *(in short 'D.El.Ed.')* training course 2017-19, i.e. 16th March, 2019 in terms of Memorandum being No. 209-SE (EE)/PTTI-7/2011 dated 4th March, 2013 issued by the Joint Secretary, School Education Department, Government of West Bengal.
3. The petitioner contends that he joined in the post of Assistant Teacher at Malancha No.II FP School under Raiganj East Circle, District-Uttar Dinajpur on 16th February, 2017 as an untrained candidate. The petitioner has successfully completed D.El.Ed. final

examination for the session 2017-19, the results of which was declared on 22nd May, 2019. The petitioner has been granted 'A' category scale of pay from 26th August, 2022. However, the petitioner ought to have been granted 'A' category scale of pay from the last date of final examination of D.El.Ed. training course. Hence, this writ petition.

4. Mr. Somesh Kumar 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.

5. Despite service, none appears on behalf of the State.

6. Ms. Mary Datta, learned Advocate, who usually appears for the State, is requested to appear in this matter with a junior of his choice. Let their appointment be regularised by the competent authority.

7. The learned Advocate for the petitioner is directed to handover a copy of the writ petition along with its annexures to Ms. Datta, learned Advocate for the State.

8. Learned advocates appearing for the respondents leave the matter to the discretion of the Court.

9. 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."*

10. 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, i.e. 22nd May, 2019 and arrear salary, if any, shall be paid to the petitioner by end of December, 2026.

11. With the above direction, the writ petition being **WPA 27248 of 2026** stands disposed of.

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

13. Interim order, if any, stands vacated.

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

15. There shall be no order as to costs.

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

17. 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.)