

28.01.2026
Court No.32
Item No.62
AP

WPA 28468 of 2006
With
CAN 1 of 2013 (Old No: CAN 2487 of 2013) (not found in the file)
Susam Mondal
Vs.
State of West Bengal and Ors.

Mr. Ekramul Bari
Mr. Sk. Imtiaj Uddin

... for the Petitioner.

Mr. Tapas Kumar Roy

... for the State.

1. This instant writ petition pertains to a challenge against the Memo dated 21.06.2006 passed by the Commissioner of School Education, West Bengal, whereby and whereunder the prayer for the draw of higher scale benefit of the petitioner was rejected on the ground that he did not get any prior permission from the competent authority to appear at the course for obtaining a higher qualification. He had cleared the examination before seeking permission from the competent authority.

2. Having heard the submissions made by the learned counsel appearing on behalf of the parties and upon perusal of the notification issued by the Assistant Secretary to the Government of West Bengal vide Memo No.1058-SE(Law)/SL/5S-218/2023 dated 18th December, 2024, it would be appropriate to dispose of this writ petition directing the District Inspector of Schools (S.E.), Calcutta (respondent No.3) to consider the prayer as made in the writ petition in terms of the judgement of the Hon'ble High Court passed in W.P.A. 303 of 2023 in the

matter of Utpal Kanti Karan Vs. The State of West Bengal and Others.

3. The District Inspector of Schools (S.E.), Calcutta (respondent No.3) shall dispose of the matter within a period of four weeks from the date of communication of a copy of this order after giving an opportunity of hearing to the writ petitioner and other necessary parties, if any, and pass a reasoned order and communicate the same to the writ petitioner within a period of one week thereafter.

4. In view of the above facts, order passed by the Commissioner of School Education, West Bengal vide order dated 21st June, 2006 is hereby set aside.

5. It is made clear that this Court has not entered into the merits of the case and all points are left open for consideration by the Authority.

6. Accordingly, the writ petition being **WPA 28468 of 2006** is disposed of

7. Consequently, all connected applications, if any, are also disposed of.

8. There shall be no order as to costs.

9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)