16.11.2026
Ct. No. 6
Sl. No.9
akd

In the High Court at Calcutta
Circuit Bench at Jalpaiguri

W. P. A. 2944 of 2026

[Malay Karmakar -Vs- The State of West Bengal & Ors.]

Mr. Nabankur Paul
Ms. Sutapa Sen Paul
Mr. Bodhisatya Ghosh
... ... for the petitioner

Mr. Kunaljit Bhattacharjee .. ld. A.G.P.
Ms. Shanghai Choudhury
Ms. Somdutta Patra
... ... for the State

1. Affidavit-of-service filed in court today is taken on record.

2. The petitioner has preferred the present writ petition seeking grant of an additional increment at the rate of 3% and additional grade pay admissible to a Headmaster shouldering higher responsibility in a higher secondary school together with consequential re-fixation of pay and release of arrears. The petitioner claims the aforesaid benefits in pursuant to G.O. 46 SE (B)/5B-1/2009 dated 27.02.2009 and the G.O. 181-SE(B)/5B-1/09 dated 08.10.2009 as well as G.O. No. 30-SE(B)/5B-1/2009 dated 10.02.2010 and Memo No. 1003-SE(S)/5P-129/12 dated 04.12.2014, respectively. He also relies on the judgment and order dated 15.01.2024 passed in WPA 6217 of 2021 (*Subir Kumar Ghosh vs. The State of West Bengal & Ors.*)

3. It is submitted on behalf of the petitioner that a representation dated 24.08.2026, claiming the aforesaid benefits has already been submitted before the concerned authority. The said representation, however, remains undecided.

4. Learned counsel for the State-respondents, upon instructions, submits that the authorities have no objection to consider the petitioner's representation dated 24.08.2026 and shall take a decision in accordance with law, keeping in mind the judgment and order dated 15.01.2024 passed in WPA 6217 of 2021.

5. In view of the submission made by the learned counsel for the State-respondents, learned counsel for the petitioner submits that his client shall be satisfied if the representation dated 24.08.2026 is decided in a time bound manner by the competent authority.

6. Accordingly, this Court directs the Commissioner of School Education, West Bengal (respondent no.3) to decide the representation of the petitioner dated 24.08.2026, strictly in accordance with law and in terms of the judgment and order dated 15.01.2024 passed in WPA 6217 of 2021, and to pass a speaking order within a period of six weeks from the date of communication of this order after affording an opportunity of personal hearing to the petitioner. The decision so taken, shall be communicated to the petitioner within a period of one week thereafter.

7. With the aforesaid directions, the present writ petition is disposed of.

8. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

9. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)