

30.04.2024
Court No.13
Item No.29
pk

WPA 6629 of 2022

**Ardhendu Sinha Chaudhury
Vs.
The State of West Bengal and Ors.**

Mr. S. N. Biswas

... For the Petitioner.

Ms. Sarwar Jahan,
Sk. Nayeemul Haque

... For the respondent no. 4.

Mr. Sanghamitra Nandy,
Mr. Bhaskar Chakraborty

... For the State.

1. Evidence of payment of Court Fees has been produced in Court, which is taken on record.

2. The petitioner is aggrieved by an order dated 26.12.2023 passed by the Chairperson, Hooghly District Primary School Council. By the said order the petitioners' names were removed from the panel of the head teachers. Admittedly, the petitioners joined the school as Assistant Teachers in the year 2000. The petitioners completed one year Teachers' Training Course after 31.12.2005.

3. In terms of the Notification of the State, Teachers' Training Qualification of one year constitutes a sufficient compliance of the training requirement for a teacher. By order dated 08.02.2024, WPA 13196 of 2019 (Avijit Chowdhury and another Vs. The State of West Bengal and others) following a decision dated 11.02.2021

passed by the Division Bench of this Court in MAT 714 of 2020 (DPSC and another Vs. Bharguram Karmakar and others) has upheld the entitlement of “A” category pay scale to all teachers who have completed PTT Training post 2005 in one year duration course. It was further held that such persons are equally entitled to be on the panel for the post of head teachers.

4. The petitioner has retired from service on 31st May, 2021.

5. In view of the above and prayer “a” made in the writ petition, “A” category pay scale to the petitioner shall be restored with effect from 14th July, 2011.

6. Fresh pension payment order shall be issued to the petitioner applying “A” category pay scale with effect from 14th July, 2011 till the date of superannuation.

7. The impugned order dated 12th March, 2022 passed by the Chairman, DPSC, Murshidabad shall stand quashed and set aside.

8. Let all arrears of pension as per revised pension payment order be paid to the petitioner from the next the date of superannuation till date within two months from date.

9. The writ petition is disposed of.

10. There will be no order as to costs.

11. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)