

W.P.A. 390 of 2024

**Subrata Bansh
Vs.
The State of West Bengal & Ors.**

Mr. Shyamal Kumar Das
Mr. Subhendu Kr. Hota

...for the petitioner

Mr. Ranjan Saha

...for the State

Mr. Kunal Ganguly

...for the Board

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. It is submitted by the learned advocate representing the petitioner that in terms of the order dated 27th April, 2021 passed by a coordinate Bench on a writ petition being WPA 21315 of 2019 petitioner was sanctioned postgraduate scale of pay vide memo dated 9th September, 2022 issued by the District Inspector of Schools (SE) South 24 Parganas. It is also submitted that in view of issuance of memo dated 9th September, 2022 granting postgraduate scale of pay contempt application was disposed of vide order dated 22nd November, 2022 but subsequently pay of the petitioner was downgraded by the said District Inspector of Schools vide memo dated 28th November, 2023.

According to the petitioner downgradation of pay of the petitioner amounts to withdrawal of postgraduate scale of pay which was previously sanctioned vide memo dated 9th September, 2022.

3. State respondents and West Bengal Board of Secondary Education are represented by learned advocates who have prayed for accommodation to use affidavit in order to demonstrate that postgraduate scale of pay was not withdrawn after same was sanctioned vide memo dated 9th September, 2022.
4. Let affidavit in opposition to this writ petition be filed by 3 (three) weeks from date. Affidavit in reply thereto, if any, be filed by 2 (two) weeks thereafter.
5. Petitioner shall be at liberty to mention the matter before the appropriate Bench for hearing after the time fixed hereinabove for exchanging affidavits.
6. Learned advocate for the petitioner is directed to communicate this order to the non appearing respondents by 7 (seven) days from date and file further affidavit of service on the next date.

(Saugata Bhattacharyya, J.)