

13th Jan., 2026

Item no.D/L 18
Court No. 18

Susanta, A.R.(Ct.)

In the High Court at Calcutta

Constitutional Writ Jurisdiction

Appellate Side

Case No.

With

I.A. No. CAN 2 of 2024

I.A. No. CAN 3 of 2025

In the matter of:

Chan Mohan Roy

.... *Petitioner*

VS.

The State of West Bengal & Ors.

....*Respondents*

For the Petitioner:

Mr. Duke Banerjee

....*Advocate*

For the State:

**Mr. Jayanta Samanta,
Ms. Paromita Haldar (Dutta),
Mr. Mirttiun Ghosh,**

....*Advocates*

1. The receipt showing payment of Rs. 5,000.00/- (Rupees five thousand) only in the office of the Bar Association, High Court, Calcutta filed in Court today is taken on record.

Re: **CAN 3 of 2025**

2. The order of dismissal of the writ petition stands recalled.
3. The writ petition is restored to its original file and number.
4. The application being CAN 3 of 2025 is disposed of.

Re: **WPA 18132 of 2010**

5. Affidavit-in-opposition by the State respondents in the writ petition and reply thereto by the petitioner filed in Court today be retained with the records.

6. The petitioner was serving in the normal section of the school in the subject Work Education. On the school being upgraded to the Higher Secondary Level in the year 2006, he was engaged to serve as a Political Science Teacher.
7. The petitioner relies upon documents to submit that the West Bengal Board of Secondary Education engaged the petitioner as scrutinizer of the Political Science paper in the Higher Secondary section.
8. The petitioner prays for an order of absorption in the Higher Secondary section and for grant of higher scale of pay.
9. In the opposition that has been filed by the State, the fact of absorption of the petitioner in the Higher Secondary section has not been addressed at all. Till the issue of absorption of the petitioner in the H.S. section is not decided, the question of grant of higher scale of pay does not arise.
10. From the writ petition it appears that the Managing Committee of the School forwarded a resolution to the District Inspector of Schools enclosing documents to show that the petitioner was serving in the Higher Secondary section in the subject Political Science, the staff pattern, the post sanction memo for the Higher Secondary section and requested the District Inspector of Schools for grant of higher scale of pay to the petitioner. The said issue has not been addressed in the opposition.
11. The District Inspector of Schools is directed revert with instruction as to whether the service of the petitioner in the Higher Secondary section has been approved or not.

12. The D.I. shall also enquire as to whether the petitioner is serving in the Higher Secondary section presently and if the answer is in the affirmative, then the date from which he is serving as such.
13. Relist the matter on 4th February, 2026.
14. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.

(Amrita Sinha, J.)