

WPA 24313 of 2019

**Pranab Bar
Vs.
State of West Bengal & Ors.**

**Mr. Sayan De,
Mr. Kaustav Shome,
Mr. Sayan Kanjilal,
Mr. Abhijit Mondal.
... for the petitioner**

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

Though the writ petitioner is represented when the matter is called on, no one has appeared on behalf of the respondent authorities, in spite of due service.

The petitioner's case in a nutshell is that, by dint of the order dated November 28, 2019, the respondents have illegally and in contravention of the provision under Clause 11 of Note 1 of Memo No.46-SE9B) dated February 27, 2009, calculated the scale of pay to be allowed to the writ petitioner, which is erroneous and not maintainable.

Mr. Sayan De, learned counsel appearing for the writ petitioner, has relied on the calculation made by the School Authority and submits that in case of the present writ petitioner, the same would be applicable.

Considering the facts and circumstances of the case, it is found proper that the respondents be directed to submit a report by the District Inspector of Schools, Secondary Education, Paschim Medinipur, as

regards the basis of calculation of the pay scale of the writ petitioner.

The report should also specify as regards how the calculation as arrived at by the respondent, as regards the pay scale of the writ petitioner, conforms with the provision under Clause 11 of Note 1 of Memo No.46-SE9B) dated February 27, 2009.

Let the matter be adjourned due to absence of the respondents.

On the next date of hearing, a report as above shall be submitted on behalf of the respondents.

However, it is made clear that on the next date of hearing, the matter shall be disposed of finally on merit, irrespective of appearance or not, by the respondent authorities.

Let the matter appear in the list again on 26th June, 2024.

(Rai Chattopadhyay, J.)