

7th July, 2025

Item no.ML 15
Court No. 8

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Civil Appellate Jurisdiction
Appellate Side

Case No. **CAN 2 of 2024**
in
FMA 1021 of 2025

In the matter of :
THE STATE OF WEST BENGAL & ORS.
.... Appellants
VS.
MOUSUMI ROY & ANR.
....Respondents

For the Appellant / State :
Mr. Suman Sengupta, Sr. Govt. Advocate
Mr. Sambuddha Dutta
....Advocates

For the Respondents :
Mr. Bikram Banerjee
Mr. Arindam Shit
....Advocates

In Re : I.A. No. CAN 2 of 2024

1. Although in the impugned order reference is made to Payel Jana (Panja) vs. The State of West Bengal & Others decided on 19th July, 2023 in WPA 18770 of 2012, it appears that the claim of the writ petitioner was decided by the learned Single Judge in the previous writ petition, namely, WP no.5165(W) of 2006 on 21st December, 2012 following the ratio laid down in WP no.6547(W) of 2006 (In Re : Amitava Manna vs. The State of West Bengal & Others) decided on the same date by the same learned Single Judge.
2. The second writ petition was essentially for execution of the order dated 21st December, 2012

as in spite of the order passed in favour of the writ petitioner, the authorities were not releasing the Higher Pay Scale on acquiring higher degree.

3. Mr. Sengupta, learned counsel appearing on behalf of the appellant / State, has prayed for time to go through the record and make appropriate submission on the adjourned date.
4. The matter stands adjourned and shall appear on 21st July, 2025.
5. Department is directed to produce the records of WP no. 6547(W) of 2006 and WP no. 5165(W) of 2006 along with the original writ petition, i.e., WP no. 25340(W) of 2015 on the adjourned date.

(Soumen Sen, J.)

(Smita Das De, J.)