8th October, 2026
(D/L No.38)
Ct. No.4
(SKB)

F.M.A. 899 of 2026
With
CAN 2 of 2025

The State of West Bengal and others
Versus
Suchita Saha and another

Mr. Sahasrangshu Bhattacharjee, ld. AGP,
Ms. Mary Datta
… for the State/appellants.

Mr. Ekramul Bari,
Sk. Imtiaj Uddin
… for the respondent/writ petitioner.

1. An issue regarding grant of post graduate scale to the writ petitioner/appellant was considered favourable to the appellant/writ petitioner by the learned Single Judge Bench in the writ proceeding. The respondent authorities have put to challenge the order of the learned Single Judge Bench dated 24.04.2024 in the present intra court appeal.
2. The learned advocate for the writ petitioner/respondent is also present. The court's attention has been drawn to an order passed by the Co-ordinate Bench on 21.01.2026 in MAT 1577 of 2025.
3. The issue regarding entitlement of a post graduate scale of pay for teachers in the physical education department, which falls for consideration in the present case, was

considered by the co-ordinate Bench in MAT 1577 of 2025. The court held that in physical education, there is no such distinction between passed category and honours category and physical education teachers with master degree in physical education would be entitled to post graduate scale of pay notwithstanding the fact that the post graduate degree in physical education was not necessary for appointment as Assistant Teacher of physical education. The decision of the co-ordinate Bench takes care of the present dispute and, therefore, in terms of the decision of the co-ordinate Bench in MAT 1577 of 2025, the present intra court appeal is dismissed as the decision of the learned Single Judge Bench when does not require any interference.

4. The appeal is, thus, dismissed. The application being CAN 2 of 2025 is also disposed of.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)