

13th Jan., 2026

Item no.D/L 09
Court No. 18

Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 12046 of 2025**

In the matter of :
Sajal Kumar Maity *.... Petitioner*
VS.
The State of West Bengal & Ors. *....Respondents*

For the Petitioner:
Mr. Md. Manuwar Ali *....Advocate*

For the State:
Mr. K.M. Hossain
Mr. Rajsekhar Basu *....Advocates*

1. Affidavits of service filed in Court today are taken on record.
2. The petitioner is aggrieved by the order dated 7th May, 2025 passed by the District Inspector of Schools, Secondary Education, Purba Medinipur whereby the petitioner's prayer for grant of three additional increments stood rejected.
3. The District Inspector of Schools has opined that the service book and the pension booklet of the petitioner which was signed by the petitioner himself and counter signed by the head of the institution clearly mentions that the petitioner will not be entitled to receive any increment.
4. According to the petitioner he had signed the service book out of compulsion. Prayer has been made to direct the authority to release the three additional increments in favour of the petitioner.

5. Learned advocate representing the State respondents opposes the submission and prayer of the petitioner.
6. It has been submitted that the petitioner never raised any objection prior to receiving the terminal dues. He retired in March, 2023 and after receiving all his terminal benefits he has approached this Court.
7. Prayer has been made to dismiss the writ petition.
8. I have heard the submissions made on behalf of both the parties and have perused the materials on record.
9. The service book of the petitioner has been annexed to the writ petition. It appears therefrom that the petitioner was not entitled to receive any increment as he remained absent for quite a number of days. The signature of the petitioner appears in the service book in respect of all the entries from the year 2006 till the date of his retirement. On each and every occasion where the petitioner was found not to be entitled to receive the increment was signed by him and counter signed by the head of the institution. The petitioner never raised any objection before any authority prior to his retirement.
10. The fact that the petitioner never raised any objection to the preparation of the service book and the remarks made therein regarding non-entitlement of the increment implies that the petitioner himself was aware that he would not be entitled to receive the increment. Had the petitioner been entitled to the increments in accordance with law, he would not have made the signatures in his service book.
11. The petitioner, being an assistant teacher of the school, ought to be aware of his rights. The moment he signs his service book where his

disentitlement to the increment is mentioned, he accepts the remarks made therein. The same goes to show that he was aware that he would not be entitled to the benefit that he is seeking presently.

12. The first objection which was raised by the petitioner regarding non-granting of increment was nearly five months after his retirement. The petitioner never raised any objection as long as he was in service.
13. The District Inspector of Schools considered the service book of the petitioner and the conduct of the petitioner and arrived at a conclusion that all his terminal dues were paid.
14. The Court does not find any error with the finding of the District Inspector of Schools.
15. The impugned order dated 7th May, 2025 passed by the District Inspector of Schools, Secondary Education, Purba Medinipur does not call for any interference.
16. The writ petition fails and is hereby dismissed.
17. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)