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Ct. No.6
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IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction

WPA No. 1572 of 2026

Tapan Kumar Das
Vs.
The State of W.B. & Ors.

Mr. Deborshi Dhar ...for the petitioner.

Mr. Shubhankar Dutta
Ms. Manisha Dutta ..for the State.

Mr. Rounak Ghosh ...for the School.

Affidavit of service filed by the petitioner is taken on record.

Learned counsel for the petitioner submits that the petitioner was appointed as Assistant Teacher in Geography at Kholta High School vide appointment letter dated 24th May, 1994 and joined the service on the same day. He was subsequently appointed as the Headmaster of Talliguri High School vide memo dated 16th May, 2007 and joined the said post on 3rd July, 2007. The school was upgraded under the West Bengal Council of Higher Secondary Education as a Higher Secondary School by virtue of memo dated 3rd July, 2010 and the petitioner was entitled to receive additional increment of 3% as Headmaster of the school by virtue of a letter issued by the District Inspector of Schools (Secondary

Education), Jalpaiguri on 7th February, 2014 in terms of a government order dated 10th February, 2010. However, by a subsequent notification issued on 22nd March, 2017, the Joint Secretary (Secondary) to the Government of West Bengal withdrew the additional increment allowed in favour of the Headmasters including the petitioner. The petitioner was compelled to return the amount received by him as additional increment.

The Headmasters of several schools approached this Court in a writ petition being WPA 23867 of 2017 assailing the said notification. By a judgment delivered on 7th May, 2024 a co-ordinate Bench of this Court allowed the writ petition and held the Headmasters to be entitled to the benefit of additional 3% increment.

The petitioner seeks implementation of the said order before the concerned authority.

Learned counsel for the State opposes the contention of the petitioner.

Upon consideration of the submission made on behalf of the parties and material on record, particularly the judgment delivered by this Court earlier, the District Inspector of Schools (Secondary Education), Cooch Behar, being the 4th respondent herein, is directed to take necessary steps for grant of the additional 3% increment in favour of the

petitioner in terms of the order of this Court with effect from 1st July, 2010 within four weeks from the date of communication of this order.

The service book of the petitioner be amended/rectified accordingly.

The writ petition is disposed of accordingly.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)