

WPA 23886 of 2026

Sayani Karan
Vs.
The State of West Bengal & Ors.

Md. Sarwar Jahan
Mr. Sayantan Hazra
Ms. Shalini Sen
Ms. Sahina Parvin
Mr. Emrul Kayes
..... for the petitioner

Mr. Anindya Basu
Mr. Uttam Banerjee
..... for the State

1. Let supplementary affidavit, as filed in Court, be kept on record.
2. The petitioner is aggrieved that from February 2026 she has not been paid her house rent allowance, which she has received till January, 2026.
3. The petitioner was appointed as a Medical Technologist-M.T. (ECG), Group-III, on a temporary basis in the Medical Technologist Cadre.
4. The petitioner has fairly admitted that she had made a mistake while filling up the form by giving a declaration that her spouse was employed. This declaration, as it is true, that the spouse of the petitioner is presently employed, but for the relevant section in the form which pre-supposes the employment of the spouse in a Government, semi-Government or aided organization. Thus, the

declaration that her spouse is employed necessarily means that he is employed in a Government, semi-Government or aided organization. The petitioner sought to correct the same, but, was unable to do so due to some technical glitches. The petitioner cannot be deprived of her house rent allowance, even though Mr. Banerjee, learned Advocate appearing for the State, has placed reliance on the Notification of the State Government and the Corrigendum of December 27, 2018, since the same has been set at rest by a decision of this Hon'ble Court rendered in a bunch of writ petitions, the lead matter being WPA 1389 of 2018 (Mousumi Biswas & Ors. vs. State of West Bengal & Ors.). The said Memorandum has been quashed by the said order and even though an appeal had been preferred, the same has subsequently been dismissed.

5. In view of the fact that there is no impediment to construe that the petitioner would not be entitled to the house rent allowance, since her husband is employed in a private institution, unconnected with the Government, the authorities will pay the house rent allowance which has been deducted from the petitioner's salary from the Month of February, 2026 till date. The petitioner is also entitled to get interest at the rate of 6% per annum.

6. In view of the aforestated, the writ petition is disposed of.

7. There will be no order as to costs.

8. Urgent photostat certified copy of the order, if applied for, be given to the parties upon usual undertakings.

(Reetobroto Kumar Mitra, J.)