

Ct. 05
Item No.18
04.05.2022
(suvendu)

WPA 6373 of 2022

Shiba Prasad Chakraborty
Vs.
The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee
Mr. Sayan Banerjee
.....for the petitioner

Mr. Supriyo Chattopadhyay
Ms. Tapati Samanta
.....for the State

The affidavit of service is taken on record.

The petitioner prays for refund of money deducted as overdrawn amount from the gratuity by the Director of Pension, Provident Fund and Group Insurance.

Learned counsel appearing for State places the revised Pension Payment Order which indicates the sum deducted as overdrawn amount.

After hearing learned counsel and since the petitioner is covered by the decision of the Supreme Court reported in *(2015) 4 SCC 334 (State of Punjab & Ors. vs. Rafiq Masih (White Washer) & Ors.)*, this Court is of the view that the petitioner is entitled to

refund of the overdrawn amount as indicated in the revised Pension Payment Order.

WPA 6373 of 2022 is disposed of with a direction on the respondent no. 4, being the Director of Pension, Provident Fund and Group Insurance to refund the overdrawn amount as indicated in the revised Pension Payment Order being Rs. 1,44, 654/- to the petitioner within a period of four weeks from date.

The other prayers in the writ petition lack particulars and hence the petitioner is given liberty of making suitable representation to the concerned authorities for considering the same.

The concerned respondent shall make an effort to dispose of the representation within six weeks from the date on which such representation is received by the said authority.

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

(Moushumi Bhattacharya, J.)