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04.01.2022
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**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**W.P.A 18648 of 2021
(Via Video Conference)**

**Sandhya Parua
-versus
State of West Bengal & Ors.**

**Mr. Tarun Kumar Das.
...For the Petitioner.**

**Mr. Bhaskar Prasad Vaisya,
Mr. Sagnik Chatterjee.
...For DPSC.**

**Mr. Susovan Sengupta,
Mr. Subir Paul.
...For the State.**

The husband of the petitioner was a primary school teacher. Due to his ill health, he was retired prematurely with effect from 20th May, 2007. The teacher thereafter, died on 29th November, 2019.

The petitioner being the widow prays for disbursal of the terminal benefits which accrued after retirement and death of the teacher.

According to the petitioner, the terminal benefits cannot be released as there is an amount of approximately 30,000/- and odd, which was allegedly overdrawn by the teacher.

Until and unless the petitioner repays the overdrawn amount, the respondent authorities are not

in a position to proceed with processing the pension papers of the deceased teacher.

The petitioner is agreeable to refund the amount which was allegedly overdrawn by the teacher.

The petitioner has made representation before the Chairman, District Primary School Council, South 24-Parganas in August 2021 expressing her willingness to refund the overdrawn amount. The said representation has not been considered by the District Primary School Council till date.

As it appears that the representation filed by the petitioner dated 26th August, 2021 is pending consideration at the end of the District Primary School Council, accordingly, the instant writ petition is disposed of by directing the South 24 Parganas District Primary School Council being the respondent No. 5 herein to take steps for consideration of the representation filed by the petitioner strictly in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

The said respondent shall intimate the petitioner the necessary steps that are required to be followed by her for the purpose of disbursal of the terminal benefits of the deceased teacher.

Upon compliance of the necessary formalities, the respondent authorities shall take steps for disbursal of the terminal dues of the deceased teacher to the petitioner.

W.P.A. 18648 of 2021 stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)