

20.02.2023

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WPA 17881 of 2022

Aloke Kumar Chakraborty
Vs.
State of West Bengal & Ors.

Mr. Samim Ahammed
Mr. Arka Maity
... For the petitioner.

Mr. Debashis Banerjee
Mr. Swpreem Naskar
... For respondent no. 5.

Mr. Amitava Chaudhuri
Mr. N. Roy
... For the State.

Petitioner is a retired Associate Professor of Sree Chaitanya College, Habra. He retired on March 30, 2022.

The only ground for withholding his retiral dues was pendency of Habra Police Station Case No. 590 of 2020 dated November 19, 2020, subsequently registered as Spl. 11 of 2020 under Section 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 67 of the Information and Technology Act, 2000 pending before the learned Additional Sessions Judge, 1st Court at Barasat against him.

It appears that the said case has been quashed by a coordinate Bench of this Court in CRR 1445 of

2021 as the parties have settled their disputes amicably. Since there is no other ground apart from pendency of the said criminal proceeding for not releasing the retiral dues of the petitioner, I dispose of this writ petition with a direction upon respondent no. 2, Director of Public Instruction, West Bengal to release all the retiral dues in accordance with law within one month from the date of communication of this order.

Accordingly WPA 17881 of 2022 is disposed of.

There will be no order as to costs.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)