

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

**W.P.A 18354 of 2023**

**The Khatra Peoples' Cooperative Bank Limited  
& Anr.**

**-versus**

**The State of West Bengal & Ors.**

**Mr. Madan Mohan Roy**

**...For the Petitioners.**

**Ms. Noelle Banerjee**

**Ms. Srijani Mukherjee**

**...For the State.**

**Mr. P. K. Roy**

**Mr. Biplab Das**

**Mr. P. S. Pal**

**... For the respondent nos. 5 to 7.**

None represents the respondent no. 13, i.e. the defaulting teacher who took the loan from the petitioners but failed to repay the same.

The teacher concerned has retired from service. His terminal benefits have been withheld by the District Inspector of Schools.

Section 59 of the West Bengal Co-operative Societies Act, 2006 permits deduction of dues to Co-operative Societies from members.

As the money is due and payable to the petitioners, accordingly, the District Inspector of Schools is directed to repay the loan amount directly to the petitioner bank with intimation to the petitioners.

Steps shall be taken in the matter at the earliest but positively within a period of eight weeks from the date of communication of this order.

Affidavit-of-service filed in Court today be kept with the records.

The writ petition stands disposed of.

In the earlier order dated 13<sup>th</sup> October, 2023 the appearance of Mr. P. K. Roy, Mr. Biplab Das and Mr. P. S. Pal was inadvertently recorded for the Cooperative Societies. Be it recorded that the learned advocates are representing the respondent nos. 5 to 7.

Instruction forwarded by the District Inspector of Schools (Secondary Education), Bankura dated 1<sup>st</sup> December, 2023 be retained with the records.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

**( Amrita Sinha, J.)**