

16.01.2023
Item No.96
Court No.18
AJ.

W.P.A. 20040 of 2022

Smt. Kalpana Mukherjee
-Vs-
The State of West Bengal & Ors.

Mr. Tarapada Das,
Mr. Chandan Dutta.
.....for the petitioner.

Mr. Suman Dey.
.....for the State.

The petitioner was an approved Assistant Teacher of Chittaranjan Mahila Samity Girls' High School, Chittaranjan, District: Paschim Burdwan.

The petitioner is alleging that she has paid an amount of Rs.1,30,914.98 in excess on account of house rent for the period from February 08, 1982 to September 30, 2002.

The petitioner by the instant writ petition is praying refund of the said amount with interest.

It appears from the record that the petitioner's earlier writ petition being W.P. 6866(W) of 2012 was disposed of by holding that the petitioner is not entitled to recover the alleged overpayment for the period from February 08, 1982 to September 23, 2002 but her entitlement to recover any excess amount for the period from September 24, 2002 to August 31, 2009 was directed to be enquired by the concerned District Inspector of Schools (S.E.).

In view of the said judgment, the petitioner is not entitled to get refund of the amount for the period as prayed for, consequently, W.P. 20040 of 2022 is dismissed without any order as to costs.

This order however will not prevent the petitioner to claim any excess amount that might be paid for the period from

September 24, 2002 to August 31, 2009 subject to the enquiry by the concerned District Inspector of Schools (S.E.) as directed by the order dated October 17, 2012 passed in the said earlier writ petition.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)