

07.08.2023
(S/L-30)
Ct.-18
(P. Jana)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 23475 of 2022
(IA No: CAN 1 of 2023, CAN 2/2023)
Uma Mukherjee
-versus-
The State of West Bengal & ors.

Mr. Rahul Kumar Singh,
... for the petitioner.

Mr. Gourav Das,
Mr. D. Chatterjee for the State.

The petitioner was an Assistant Teacher of Raghudevhati Sadharaner Vidyalaya For Girls, on superannuation she has retired from her said service on May 31, 2020.

The Headmistress of the said school, following the advice of the District Inspector of Schools (SE), Howrah, the respondent no. 4 herein, by a letter dated March 12, 2022 directed the petitioner to refund the overdrawn amount under T.R. Form No. 7 as the condition precedent for disbursement of her retiral benefits.

The petitioner is challenging the said letter.

Mr. Gourav Das, learned advocate for the State, submits that such overpayment was occasioned due to wrong fixation of pay scale. A report of the respondent no. 4 bearing Memo No: 179/LS dated August 03, 2023 with details of the calculation of the overdrawn amount is filed on behalf of the State, a copy whereof is supplied to Mr. Rahul Kumar Singh, learned advocate for the petitioner.

However, Mr. Singh submits that in compliance with the direction passed by this Court, the pension sanctioning authority without insisting refund of the overdrawn amount has released the retiral benefits of the petitioner along with interest.

In view of the aforementioned development, no further order(s) need be passed in the matter.

WPA 23475 of 2022 is disposed of accordingly without any order as to costs.

In view of disposal of the writ petition, the applications being IA No: CAN 1 of 2023 and CAN 2/2023, if pending, are also disposed of without any order as to costs.

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

(Biswajit Basu, J.)