

20.11.2023

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WPA 24736 of 2023

**Dr. Sutapa Mukhopadhyay
Vs.
The State of West Bengal & Ors.**

Mr. N.C. Bihani
Ms. P.B. Bihani
Mr. Soumyajit Ghosh
Mr. Soumya Mukherjee
... For the petitioner.

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
... For the State.

The petitioner is an Associate Professor of History at Kishore Bharati Bhagini Nivedita College at Kolkata.

It is the grievance of the petitioner that the State started deducting the house rent allowance of the petitioner on the ground that her husband is also working for the Kuwait Oil Company, a subsidiary of the Kuwait Petroleum Corporation at Kuwait.

The petitioner suggests that that presently, her husband is residing in Kuwait and he is not receiving any house rent allowance from his employer.

Be that as it may, the petitioner's house rent allowance could not have been deducted even if the husband received the house rent allowance from his employer.

The issues involved in this writ petition are squarely covered by the judgment passed in WPA 14024 of 2023 (Swati Hansda Vs. State of West Bengal & Ors.)

and WPA 7803 of 2021 (Moumita Sarkar (Samanta) Vs. The State of West Bengal & Ors.).

In view of the aforesaid judgments, this writ petition is disposed of with a direction upon the State to release the house rent allowance of the petitioner as per her entitlement within a period of one month from the date of communication of this order.

The amount deducted towards the house rent allowance of the petitioner by the State shall be refunded with 7% interest per annum.

Accordingly, **WPA 24736 of 2023** is disposed of.

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

(Kausik Chanda, J.)