

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
Constitutional Writ Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri.**

W.P.A. 2776 of 2022

**Goutam Kali
-Versus-
The State of West Bengal & Ors.**

**For the Petitioner : Mr. Ekramul Bari, Adv.
Ms. Sk. Imtiaz Uddin, Adv.
Ms. Esha Acharya, Adv.**

**For respondent No.5 : Mr. U.R.Moitra, Adv.
Mr. Nabankur Paul, Adv.**

**For the State : Mr. Bikramaditya Ghosh, Adv.
Mr. Momenur Rahman, Adv.**

Heard & Judgment On : 31st January, 2023.

The retired headmaster of a school is not getting Provident Fund amount after his retirement on superannuation with effect from 30th November, 2021. It is the general rule that immediately after retirement, Provident Fund contribution is required to be disbursed to the superannuated incumbent. However, the present Teacher-in-Charge (respondent No.5) raised certain objections with regard to unaccounted amount lying in the Provident Fund of the petitioner. The petitioner gave reply to such objection finally on 13th May, 2022. He clearly mentioned that there is no unaccounted sum of money which the

petitioner is under obligation to deposit in his PF account before its disbursement.

It is submitted by Mr. Ekramul Bari, learned Advocate on behalf of the petitioner that the School Authority cannot deny disbursement of PF amount because PF contribution is the own money of the petitioner.

It is submitted by the learned Advocate for the respondents, on the other hand, that the Teacher-in-Charge found certain discrepancies in the Provident Fund account of the petitioner and some amount of money was lying as unaccounted amount in the Provident Fund of the petitioner. Therefore, the respondent No.5 referred entire matter to the respondent No.3 for consideration.

I have already recorded that the petitioner retired from service with effect from 30th November, 2021. More than one year have elapsed in the meantime. He is entitled to get Provident Fund contribution which is his own contribution in PF.

It is learnt from the learned Advocate for the respondents that the matter is lying with the DI of School (SE), Jalpaiguri (respondent No.3).

In view of such circumstances, respondent No.3 is specifically directed to take decision with regard to the amount of PF contribution of the petitioner within four weeks from the date and disburse the amount in favour of the petitioner.

With the above order, the instant writ petition is **disposed of**.

There shall be no order as to costs.

The parties shall act on the server copy of the order.

(Bibek Chaudhuri, J.)