

Srl. No.36
25.01.2024
SB-III
SH

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 1727 of 2021

**Indrani Chowdhury
-versus
The State of West Bengal & Ors.**

**Mr. Saktipada Jana
Mr. Debajit Kundu
... for the petitioner.**

**Mr. Subir Kumar Saha, AGP
Mr. Momenur Rahman
... for the State.**

The terminal benefit of the petitioner has not been disbursed on account of non-finalization of her pension case.

The petitioner has been found to have overdrawn a sum of Rs. 2,78,927/- and she has been directed to refund the aforesaid amount.

The petitioner retired from service on attaining the normal age of superannuation on January 31, 2018. She is yet to receive her terminal dues.

Though, the petitioner submits that the amount mentioned hereinabove could not have been recovered after she retires from service, but at this stage the prayer of the petitioner is to disburse her terminal benefit upon deduction of the alleged aforesaid overdrawn amount of Rs. 2,78,927/-.

The writ petition was filed in the year 2020 and the same is pending till date. Despite opportunity granted to

the respondents, affidavit in opposition has not been filed till date.

As the petitioner is willing to refund the alleged overdrawn amount, accordingly, there is no impediment on the part of the respondent authorities to finalize the pension case of the petitioner.

In view of the above, the instant writ petition is disposed of by directing the District Inspector of Schools (P.E.), Jalpaiguri to take necessary steps for finalizing the pension case of the petitioner upon deduction of the overdrawn amount from her admitted terminal dues. Documents of the petitioner shall be forwarded to the DPPG, Uttarkanya at the earliest but positively within a period of six weeks from the date of communication of this order.

The DPPG is directed to take necessary steps and ensure that the PPO is issued in her favour within a period of six weeks thereafter.

The petitioner is directed to cooperate with the aforesaid respondent for finalization of her pension case.

The writ petition stands disposed of.

Affidavit of service filed in Court today is taken on record.

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

(Amrita Sinha, J.)