

13-11-2025
Item No.147 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.5152 of 2024

Sulata Das

-vs-

The State of West Bengal & Ors.

Mr. Sanjib Das

...for the petitioner

Ms. Jyotsna Roy Mukherjee

Ms. Srijani Mukherjee

...for the State

1. The petitioner retired from service on January 31, 2022. She alleges that she has not been paid her terminal dues. During pendency of the instant writ petition, the petitioner has received only her provident fund amount. Prayer has been made to direct the authority to release all her terminal dues that she is entitled to in accordance with law.
2. On a perusal of the report of the District Inspector of Schools (SE), South 24 Parganas signed on March 13, 2024, it surfaces that the head of the institution tried to contact the petitioner for submission of her pension papers, but the petitioner did not turn up.
3. It also appears that an FIR was lodged against the petitioner in the year 2022 and that a criminal case being No.248/2022 dated September 15, 2022 under sections 420/406 IPC and also a case being no.112/2023 dated May 31, 2023 have been found to be pending in the Mathurapur police station.

4. Learned counsel for the petitioner submits that the petitioner submitted a comprehensive e-pension application prior to her superannuation.
5. The school is not represented. Affidavit of service is on record.
6. From the aforesaid instruction it transpires that the criminal cases which are allegedly pending against the petitioner were registered long after the petitioner retired from service. There is nothing on record to suggest that the allegation against the petitioner relates to her service tenure.
7. Any incident, not relating to the institution where employee served, which may have triggered filing of the criminal case after the employee retired from service, cannot be a ground to withhold the terminal benefits of the employee.
8. The DI of School contends that the petitioner did not contact the school authority for which her pension papers cannot be processed.
9. In view of the above, the petitioner is directed to immediately report before the concerned DI of Schools for getting the documents in respect of her terminal dues ready. The address of the petitioner as mentioned in the cause title of the instant writ petition will be the address for all her communications.
10. The school authority is directed to render all cooperation to ensure that the documents for the terminal dues of the petitioner are made ready without any further delay.
11. More than three years have elapsed after the petitioner retired from service. The DI of Schools shall ensure that the terminal benefits of the

petitioner are released without any further delay but positively within six months from the date of communication of this order.

12. The writ petition stands disposed of.
13. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
14. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]