

Dated : 13.11.2025
Sl. No. : ML 152.
Ct. No. : 18.
Officer : AGM.

**In The High Court At Calcutta
Constitution Writ Jurisdiction
Appellate Side**

WPA 6161 of 2024

Md. Isahawk Middy
Vs
The State of West Bengal & Ors.

Mr. Ekramul Bari.
Md. Imtiaz Uddin.
.....For the petitioner.

Mr. Nilay Baran Mondal.
... For the State.

1. The petitioner is a retired teacher. He is not getting his terminal dues on account of one extra increment granted in his favour by the School Authority.
2. Learned advocate for the petitioner submits that the petitioner would not be entitled to the said increment and the same has been inadvertently allowed in his favour. The petitioner ought not to be penalized for any error on the part of the school authority.
3. The date of option for the revised scale of pay from 1st May, 1996 to 1st June, 1996 has been rejected by the Deputy Director of School Education (GA) on 4th January, 2024.
4. The petitioner refers to the Memorandum of the School Education Department, Secondary Branch being no. 199(20)-SE(S)/5P-215/2005 dated 5th March, 2007 in support of the submission that there is scope for correction of

the wrong fixation of pay and also for change of date of option.

5. It appears that the employee has retired from service in the year 2022 and till date he has not received his terminal dues.
6. The Authority ought to ensure that necessary correction is effected in the service record of the employee to ensure that he receives his terminal dues.
7. In view of the above, the District Inspector of Schools (S.E.), Howrah is directed to take all necessary steps to ensure that the documents relating to the terminal dues of the petitioner are duly rectified and processed so that the petitioner receives his terminal dues without any further delay.
8. Steps shall be taken in the matter at the earliest but positively within a period of twelve weeks from the date of communication of this order.
9. The petitioner and the School Authority both are directed to render all necessary cooperation to the District Inspector of Schools (S.E.), Howrah to take steps in compliance of the direction passed hereinabove.
10. The District Inspector of Schools shall ensure that the terminal dues of the petitioner are disbursed positively within a period of six months from the date of communication of this order.
11. The District Inspector of Schools shall take into consideration similar request for change of option which was allowed by the O.S.D. and Ex-Officio Joint Secretary, Government of West Bengal in favour of a similarly placed employee on 20th March, 2009.

12. The impugned order dated 4th January, 2024 by the Deputy Director of School Education (GA) being Annexure-P6, accordingly, stands set aside.
13. The writ petition stands disposed of.
14. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)