

ML 126
11.11.2025
d.p.

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

W.P.A 11675 of 2025

**Barnali Das
-versus
The State of West Bengal & Ors.**

**Mr. Chirantan Sarkar.
...For the Petitioner.**

**Mr. Rajarshi Basu,
Ms. Jayeta Mitra (Kaunda).
...For the State.**

**Mr. Suman Sengupta,
Mr. Chitrak Biswas.
...For the Respondent
Nos. 6 and 8.**

**Mr. S.K. Bhattacharyya.
...For the Respondent No.9.**

**Mr. Arnab Roy.
...For the Respondent No.10.**

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

2. The petitioner is the widow of a clerk who died-in-harness on 3rd March, 2024.

3. The petitioner seeks compassionate appointment and the terminal benefits of her deceased husband.

4. It appears from the submissions on behalf of the parties and on perusal of the report filed by the Birbhum District Central Co-operative Bank Limited that the employee had obtained loan from the cooperative society and the loan amount is yet to be repaid.

5. For non-liquidation of the entire loan amount along with interest, the terminal dues of the deceased employee cannot be disbursed.

6. Learned advocate appearing on behalf of the petitioner does not dispute the fact of non-repayment of the loan amount.

7. According to the Birbhum District Central Co-operative Bank Limited who financed the cooperative society from where loan was disbursed in favour of the petitioner's husband submits that there is no provision for waiver of either the principal amount or the interest. The Bank deals with public money and any direction passed upon the Bank to waive its dues will directly interfere with the financial transactions of the Bank.

8. Learned advocate appearing on behalf of the District Inspector of Schools (S.E.) submits, upon instruction that, there is no formal application made by the petitioner seeking compassionate appointment and for release of the terminal dues of the deceased employee.

9. Learned advocate for the petitioner refers to the application made by the petitioner before the headmaster of the school on 21st April, 2025.

10. On a perusal of the same, it appears that the same is a sketchy one, devoid of relevant details.

11. In view of the above, the instant writ petition stands disposed of by observing that it will be open for the petitioner to make formal representation before the school authority highlighting her prayers.

12. As it has been submitted that the petitioner is not conversant with the manner in which the application is to be submitted, accordingly, the school

authority is directed to render proper guidance to the petitioner for making application for grant of compassionate appointment and for release of the terminal dues of her deceased husband.

13. On receipt of the application from the petitioner the school authority shall forward the same to the District Inspector of Schools (S.E.), Birbhum who shall thereafter process the documents relating to the terminal dues of the deceased employee by keeping note of the fact that a certain amount is due and payable on account of loan taken by the employee during his lifetime.

14. Necessary calculation shall be made and the amount which will be found to be due and payable shall be disbursed in favour of the legal heir(s) of the deceased employee subject to compliance of all necessary formalities.

15. The respondent authorities shall take steps in the matter strictly in accordance with law at the earliest.

16. The petitioner is directed to render all necessary cooperation to the aforesaid authorities for processing her prayer for disbursement of terminal dues and for grant of compassionate appointment.

17. The writ petition stands disposed of.

18. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)