

3rd Nov., 2025
Item no.M/L 09
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 19542 of 2025**

In the matter of :
Chaitali Das *.... Petitioner*
VS.
The State of West Bengal & Ors. *....Respondents*

For the Petitioner:
Mr. Sakti Pada Jana
Mr. Subhajyoti Das
Ms. Sudipta Pramanik *....Advocates*

1. The petitioner is a widow of a retired school teacher. The teacher died on 3rd May, 2025 after his retirement on 31st January, 2018.
2. When the husband of the petitioner was in service, a disciplinary proceeding was initiated against him and he was put under suspension.
3. It has been submitted that the suspension order was subsequently withdrawn by the West Bengal Board of Secondary Education. There is no order restraining the authority from disbursing the terminal dues of the deceased teacher. There is also no order from the disciplinary authority against the teacher. According to the petitioner, her husband would have been legally entitled to receive the terminal dues.
4. The petitioner being the widow has approached the authority for releasing the terminal benefit of her deceased husband. The representation of the petitioner is pending consideration.

5. None represents the respondents.
6. In the absence of the respondents, it is not possible for the Court to decide the issue conclusively.
7. The instant writ petition, accordingly, stands disposed of by directing the school authority to forward all documents of the deceased teacher to the District Inspector of Schools (SE) Kolkata at the earliest but positively within a period of eight weeks from the date of communication of this order.
8. After receiving all documents from the school, the District Inspector of Schools (SE) Kolkata shall take a decision within a period of eight weeks on the prayer of the petitioner for releasing the terminal benefits which were due and payable to her deceased husband.
9. If the prayer of the petitioner is allowed, then necessary consequential steps for releasing payment shall be taken without any further delay.
10. If the prayer of the petitioner is rejected, then a reasoned order with ground(s) for rejection shall be communicated to the petitioner immediately thereafter.
11. The writ petition stands disposed of.
12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)