

2ND Dec., 2025
Item no.D/L 19
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 25212 of 2025**

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

For the Petitioner:
Mr. Badrul Karim
Mr. Sarajit Roy
Mr. Aritra Ghosh *....Advocates*

For the State:
Mr. Ansar Mandal
Mr. Tanweer J. Mandal *....Advocates*

1. The District Inspector of Schools, Secondary Education, Howrah has forwarded a report dated 27th November, 2025 clearly disclosing that the spouse of the petitioner did not work in the government concern as per the documents annexed to the writ petition.
2. The District Inspector of Schools has mentioned that the relief of giving full benefit of House Rent Allowance has been allowed in terms of the order dated 16th March, 2021 passed by a coordinate Bench of this Court only to the teachers who have obtained specific judicial orders.
3. It has been brought to the notice of this Court that an appeal being MAT 1023 of 2021 against the judgment dated 16th March, 2021 passed by the Court in WPA 1389 of 2018 is pending consideration. The order of the coordinate Bench has not been stayed till date.

4. In view of the above, the claim of the petitioner to receive full benefit of House Rent Allowance has to be allowed in favour of the petitioner.
5. The respondent authorities are, accordingly, restrained from recovering any amount from the House Rent Allowance received by the petitioner.
6. This order is being passed subject to the order in the pending appeal being MAT 1023 of 2021.
7. The communication made by the Assistant Director of Accounts, Secondary Education, Howrah dated 24th December, 2024 is set aside.
8. The writ petition stands disposed of.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)