

21-11-2025
Item No.45
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.26317 of 2025

Madhuri Saha

-vs-

The State of West Bengal & Ors.

Ms. Sudipa Banerjee ...for the petitioner

Mr. Sarvesh Chandra Shrivastav
Mr. Neelam Singh ...for the State

1. The petitioner retired from service after attaining her normal age of superannuation on January 31, 2021. Prior to her retirement she was directed to refund a sum of Rs.1,53,805/- which was drawn in excess by her. The petitioner prays for refund of the same.
2. Reliance has been placed on the judgment passed by the Hon'ble Supreme Court in the matter of State of Punjab & Ors. -vs- Rafiq Masih (White Washer) & Ors. reported in (2015) 4 SCC 334.
3. In the instant case, it appears that though the petitioner retired in the year January 2021 and refund was made in July 2021, the petitioner has approached the court for refund of the amount deposited only in November 2025. There is no explanation as to why the petitioner has delayed in approaching the court for relief.
4. After more than four years of retirement of the employee, the court is not inclined to pass any direction for refund of the money paid.
5. In view thereof, no relief can be granted to the instant writ petition.

6. The writ petition fails and is hereby dismissed.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]