

**IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
APPELLATE SIDE**

**WPA 669 of 2026**

**Birampur Samabay Krishi Unnayan Samity  
Vs.  
The State of West Bengal & Ors.**

Mr. Kamal Krishna Pathak, Adv.,  
Mr. Narayan Nayak, Adv.,  
Mr. Kaustav Seal, Adv.,  
Mr. Saikat Koley, Adv.,  
Mr. Souvik Maji, Adv.

... For the Petitioner.

Mr. Lalit Mohan Mahata, learned AGP,  
Mr. Rudranil De, Adv.

... For the State.

Mr. Ankit Sureka, Adv.,  
Mr. Biplob Das, Adv.

... For the Respondent Nos.2 & 3.

Mr. Kamal Mishra, Adv.

... For the Respondent No.5.

1. Affidavit-of-Service filed in Court today is taken on record. None appears to represent the seventh respondent.

2. The seventh respondent who is an Assistant Teacher of a primary school took a loan from the petitioner Samabay Krishi Unnayan Samity of Rs.10,00,000/- to be repaid in 120 instalments at the rate of interest of 10% per annum. The petitioner alleges that the seventh respondent has defaulted in repaying the instalments and a sum of Rs.8,35,342/- on account of principal and interest till 31<sup>st</sup> October, 2025 is lying due and recoverable from the seventh respondent.

3. The learned advocate, appearing for the petitioner, submits that the seventh respondent, who is the member of the petitioner no.1 society, executed an agreement in favour of the petitioner no.1 society in terms of the provisions laid down under sub-section (1) of Section 59 of the West Bengal Cooperative Societies Act, 2006. He submits that though the petitioner no.1 society approached the Sub Inspector of Schools, Digha Circle, who is the Drawing and Disbursing Officer (DDO), praying for recovery of the outstanding loan amount by way of deduction in terms of the provisions laid down under Section 59(2) of the 2006 Act, but no steps have been taken by such respondent authorities to recover the said amount from the salary and to pay the same to the petitioner no.1 society.

4. Mr. Mishra, learned advocate, appearing for the Chairman, District Primary School Council, Purba Medinipur, submits that the Sub Inspector of Schools being the fourth respondent is the Drawing and Disbursing Officer.

5. Learned advocate, appearing for the fourth respondent, submits that necessary steps shall be taken in terms of the provisions laid down under Section 59(2) of the 2006 Act.

6. It is not in dispute that the seventh respondent who is the member of the cooperative society executed an agreement in favour of the petitioner no.1 society providing that the DDO shall be competent to deduct from the salaries or wages and retiring gratuity or death gratuity payable to him by the employer or the DDO and to pay the amount to the cooperative society in satisfaction of any debt or other demand of the cooperative society against the member. Since an agreement in accordance with the provisions of sub-section (1) of Section 59 of the 2006 Act has been executed and a sum of money is lying due and recoverable from the seventh respondent, the Sub-

Inspector of Schools, Digha Circle, being the fourth respondent and the DDO, is directed to take necessary steps and make the deductions in accordance with the agreement and pay the amount to the petitioner society within fifteen days from the date of such deduction(s). The petitioner shall submit a copy of the agreement along with a calculation of the amount due to the petitioner society within two weeks from the date of receipt of a server copy of this order to the fourth respondent to enable the fourth respondent to comply with the directions passed by this Court and upon receipt of a copy of the agreement and the details of the calculation, the fourth respondent shall make deduction(s) in accordance with the agreement and pay the amount to the cooperative society within the time limit indicated hereinabove. The District Primary School Council, Purba Medinipur, is directed to render all necessary cooperation to the fourth respondent in this regard.

7. With the above observations and directions, the writ petition stands disposed of.

8. Parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

**(Hiranmay Bhattacharyya, J.)**