

07.04.2026  
Sl. No. 07  
Ct. No.14  
AN

**IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE**

WPA/984/2026  
MR. BHADRESWAR DAN  
VS  
STATE OF WEST BENGAL AND ORS.

Mr. Debasis Banerjee  
Mr. Arijit Sardar  
Ms. Srijata Mukherjee

...for the Petitioners.

Mr. Sankar Halder

...for the State.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Report filed by the State furnished by the District Inspector of Schools (P.E.), Birbhum dated 21<sup>st</sup> January, 2026 is taken on record.
3. By the present writ petition the petitioner seeks direction upon the respondent authorities for release of petitioner's pending retiral benefits including the arrears of salary, fixation, group insurance, LIC amount, EPF amount, Puja bonus, the second pension payment order amounting to Rs. 5,57,312/- alongwith the interest.
4. The petitioner contends that he was an approved Head Teacher of the Khandagram Primary School under District Primary School Council, Birbhum. He retired from service on superannuation on 31<sup>st</sup> August, 2009. On 29<sup>th</sup> August, 2008, prior to his retirement and subsequent thereto, the petitioner made representation

before the concerned authority for release of proper retiral benefits. However, no steps have been taken. Hence this writ petition.

5. Mr. Debasis Banerjee, learned advocate appearing for the petitioner submits, the petitioner had deposited an overdrawn salary of Rs. 37,312/- as per arbitrary direction of pension sanctioning authority. The petitioner is getting a less amount of pension due to wrong fixation by such authority. The petitioner has made representation before the concerned authority but no steps have yet been taken. He seeks for appropriate orders.
6. Mr. Sankar Halder, learned advocate representing the State submits that the petitioner opted for revised scale of pay under ROPA 1990 with effect from 1<sup>st</sup> April, 1986. His basic pay was wrongly fixed at Rs. 1140/- in place and stead of Rs. 1115/-. As a result of which the petitioner was directed to deposit the overdrawn amount of Rs. 37,312/-. There are no such pending retiral benefits arising in favour of the petitioner. He seeks for dismissal of the writ petition.
7. Upon going through the averments made in the writ petition, the petitioner save and except seeking for proper fixation has not demonstrated by way of pleadings as to how such wrong fixation occurred. The report filed by the District Inspector of Schools (P.E.), Birbhum clearly indicates that at first the basic was wrongly fixed at Rs. 1140/- in place and stead of Rs.

1115/- and after proper fixation the petitioner was directed to deposit an amount of Rs. 37,312/-. It also states that there is no pending retiral benefits arising in favour of the petitioner. In absence of specific pleadings, demonstrating wrong fixation of pay, the writ petition falls short of merit and is liable to be dismissed.

8. Accordingly, the writ petition being **WPA 984 of 2026** is dismissed.
9. Since no affidavits have been called for, the allegations made in the writ petition are deemed to be not admitted.
10. Consequently, connected applications, if any, also stand disposed of.
11. Interim orders, if any, stand vacated.
12. There will be no order as to costs.
13. Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

**(Bivas Pattanayak, J.)**