

05-01-2026
Item No.18
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.2065 of 2024

Tanmay Ghosh

-vs-

The State of West Bengal & Ors.

Mr. Anish Roy	
Mr. Syed Murshid Alam	
Mr. Subrata Ghosh	
Mr. Amrita Sen	
Mr. Nabiul Islam	
Mr. Shaumik Bagchi	...for the petitioner
Mr. Sagnik Chatterjee	...for the State
Mr. Iswar Chandra Maiti	...for the school

1. Learned counsel for the petitioner submits that the arrear salary of the petitioner for the months of January 2020 and February 2020 has since been released but the service benefits on account of completion of ten years of service, however, has not been paid till date.
2. Prayer has been made to direct the respondents to release the ten years' service benefits and to grant interest on account of delayed payment of his salary for the months mentioned hereinabove.
3. Learned counsel for the school is not in a position to clearly explain as to why there has been delay in releasing the salary of the petitioner. There is also no explanation as to why the ten years' service benefits have not been released. The only submission which has been made is that all documents to process the claim have not been

submitted by the petitioner.

4. As the petitioner is still in service, his service records ought to have been properly maintained by the school authority. The petitioner would be entitled to his service benefits in accordance with law.
5. In view of the above, the District Inspector of Schools (SE), Howrah is directed to take necessary steps to ensure that all service benefits of the petitioner which he is entitled to, upon re-fixation of his scale of pay, shall be released in his favour at the earliest, but positively within a period of twelve weeks from the date of communication of this order. An opportunity of hearing shall be granted to the petitioner and the school authority for production of all documents in support of the petitioner's claim.
6. Simple interest on account of delayed payment of the monthly salary shall be paid at the rate of 7% p.a. calculated on and from the due date till the date of actual payment.
7. The school authority and the petitioner both are directed to cooperate with the DI of Schools for effective compliance of the direction passed by this Court.
8. The writ petition stands disposed of.
9. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
10. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

