8th Oct., 2026

Item no.D/L 05
Court No. 24

Pradip, A.R.(Ct.)

In the High Court at Calcutta

Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 4782 of 2026**

In the matter of:

Debasis Paul

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner:

Ms. Sabita Khutia (Bhunya)
Mr. Krishna Pada Santra

....Advocates

For the State:

Mr. Anish Kumar Mukherjee
Mr. Suraj Mishra

....Advocates

1. Affidavits of service filed in Court today are taken on record.
2. The petitioner retired from service on 30th November, 2025. He has not been paid his terminal dues allegedly because he is yet to refund the overdrawn salary obtained by him from 1st May, 1998 to 30th September, 2002.
3. It has been submitted that the petitioner is in a penurious condition. His wife is suffering from various ailments and he requires huge sum of money for her medical treatment. He is not in a position to refund the money immediately.
4. Prayer has been made to direct the respondents to adjust the overdrawn amount from his terminal dues and pay the balance amount to the petitioner.
5. Learned advocate representing the State respondents relies upon the instruction forwarded by the District Inspector of Schools, Secondary Education, Paschim Medinipur signed on 23rd July, 2026.

6. On a perusal of the documents annexed to the writ petition it appears that the petitioner approached this Court on an earlier occasion by filing WP 15204 (W) of 2018. The said writ petition stood disposed of on 30th November, 2018 by holding that the order passed by the District Inspector of Schools directing the petitioner to deposit the overdrawn amount within a period of eight weeks through treasury challan is in accordance with law. The order of the Court has attained finality. The petitioner has not yet deposited the said amount.
7. The school was also directed to grant twenty years' career advancement benefit to the petitioner in accordance with law. The same has not been paid till date.
8. As the petitioner pleads his inability to refund the overdrawn amount of Rs. 10,84,985/- accordingly, the District Inspector of Schools, Secondary Education, Paschim Medinipur is directed to process the pension file of the petitioner by making necessary adjustment with the money receivable by the petitioner.
9. The aforesaid overdrawn amount shall be deducted from the terminal dues of the petitioner and the balance amount shall be paid to him.
10. As regards the twenty years' service benefit, the District Inspector of Schools is directed to take up the issue with the school authority and ensure that the said benefit is disbursed in favour of the petitioner at the earliest.
11. As processing the pension file of the petitioner will consume sometime, accordingly, the District Inspector of Schools is directed to ensure that the petitioner receives his provisional pension, provisional gratuity and his provident fund dues positively by 30th November, 2026.

12. The petitioner is granted liberty to make a formal application seeking release of his provisional pension, provisional gratuity and provident fund dues by mentioning his bank account number.
13. The District Inspector of Schools shall ensure that all terminal dues of the petitioner are released at the earliest but positively within a period of four months from the date of communication of this order.
14. The writ petition stands disposed of.
15. Parties to act on the basis of the server copy of this order duly downloaded from the official website of this Court.
16. Certified server copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)