

20th Feb., 2026
Item no.M/L 507
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 7202 of 2024**

In the matter of :
Buddhadev Bandyopadhyay *Petitioner*
VS.
The State of West Bengal & Ors.*Respondents*

For the Petitioner:
Ms. Sanchayita De*Advocate*
For the State:
Mr. Debjit Mukherjee*Advocate*

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner seeks refund of the amount paid by him allegedly on account of overdrawn payment.
3. The petitioner refunded the amount by way of treasury challan in January, 2020. He retired from service on 31st October, 2022. It appears that the authority, on detection of the error in pay fixation of the petitioner, rectified the mistake during the service tenure of the petitioner and directed refund of the overdrawn amount which the petitioner did by way of treasury challan in the year 2020.
4. The instant writ petition has been filed claiming refund of the amount paid in the year 2024.
5. The Court is of the opinion that the employer can certainly rectify the error in pay fixation well within the service tenure of the employee and direct refund of any amount paid in excess of the actual pay.
6. In the instant case, the error was detected long prior to retirement of the petitioner. The writ petition filed more than two years after retirement seeking refund of the same cannot be entertained.

7. In view of the above, no relief can be granted to the petitioner in the instant writ petition. The writ petition fails and is hereby dismissed.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)