

14-01-2026
Item No.28
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.10114 of 2023

Bijan Kundu

-vas-

The State of West Bengal & Ors.

Mr. Firdous Samim
Ms. Gopa Biswas
Mr. Hasanuz Zaman Molla
Ms. Salini Bhattacharya ...for the petitioner

Mr. Supriyo Chattopadhyay, AGP
Mr. Manoj Kumar Mondal
Ms. Sayantani Bhattariya ...for the State

1. None appears for the school authority.
2. The petitioner is a retired clerk of a school. He has not received his terminal dues after his retirement on January 31, 2023.
3. From the instructions available on record forwarded by the District Inspector of Schools (SE), Murshidabad dated May 15, 2023, it appears that there is certain allegation of doubtful expenditure from the school fund where the involvement of the petitioner may be found.
4. Fact remains that apart from lodging the general diary before the police, the school did not take any steps to either lodge a complaint against the petitioner before any authority or take any steps for initiating disciplinary proceeding against him.
5. Nearly three years have elapsed after the staff retired from service. The school has not prepared the pension file of the petitioner. The respondents cannot withhold the terminal dues of an employee

in the absence of any disciplinary proceeding or any order from the competent authority.

6. In view of the above, the present headmistress of Saidabad Maharaja Srish Chandra Balika Vidyalaya, the eighth respondent herein, is directed to take immediate necessary steps for updating the service book and preparing the pension file of the petitioner and forward the same to the DI of Schools for onward transmission to the Director of Pension, Provident Fund & Group Insurance.
7. The petitioner is directed to cooperate with the said respondent for the purpose of preparation of his pension file.
8. The aforesaid exercise shall positively be concluded within a period of four weeks from the date of communication of this order.
9. On receipt of all necessary documents from the school authority, the DI of Schools shall forward the pension file of the petitioner to the Director of Pension, Provident Fund & Group Insurance, West Bengal upon compliance of all necessary formalities for issuance of the PPO in favour of the petitioner.
10. The DI of Schools shall ensure that PPO is issued in favour of the petitioner at the earliest, but positively within a period of sixteen weeks from the date of receipt of the documents from the school authority.
11. If any document is wanting, the same shall be intimated to the petitioner forthwith. The petitioner shall be obliged to comply with all formalities required for issuance of PPO in his favour.

12. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
13. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]