

Pradip, A.R.(Ct.)

1. Affidavits of service filed in Court today are taken on record.
2. The petitioner is a retired teacher. His pension file has not been finalized due to objection raised by the State authorities. Certain amount was found to be paid to the petitioner in excess of his entitlement. The petitioner has refunded the overdrawn amount.
3. He prays for a direction upon the authority to refund the amount which was deposited by him allegedly on account of overdrawn payment.
4. Report forwarded by the District Inspector of Schools, Secondary Education, Nadia signed on 30th October, 2025 filed in Court today is taken on record.

5. It appears therefrom that all the parties including the school and the petitioner were called for hearing by the District Inspector of Schools and the calculation of the last pay drawn by the petitioner as on 31st March, 2025 has been fixed at Rs. 64,600/-.
6. It appears that the petitioner retired from service on 31st March, 2025. The wrong fixation of pay of the petitioner was detected in the year 2022 and the petitioner refunded the money in the year 2022 itself. The instant writ petition has been filed on 27th June, 2025 praying for refund. The petitioner refunded the amount nearly three years prior to his retirement.
7. The Court is not convinced with the submission and prayer of the petitioner seeking direction upon the authority to refund the overdrawn amount paid by the petitioner.
8. As there was a mistake in calculating the pay received by the petitioner, the authority rightly rectified the mistake during the service tenure of the employee and directed the petitioner to refund the amount which has since been refunded. In such a situation, there is no scope of passing any order to refund the payment made by the petitioner.
9. The authority is directed to take necessary consequential steps relying on the aforesaid figure fixed as the last pay drawn by the petitioner.
10. The authority shall ensure that the terminal dues of the petitioner are released at the earliest but positively within a period of sixteen weeks from the date of communication of this order.
11. The writ petition stands disposed of.

12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)