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WPA 13756 of 2025

Kabita Mukherjee
Vs.
The State of West Bengal & Ors.

Mr. S. K. Ahmed
..... for the petitioner

Mr. Swapan Kumar Datta, learned GP
Mr. Dipankar Das Gupta
..... for the State

Mr. Arpan Kundu
..... for the respondent no. 4

1. The petitioner seeks constitution of a special enquiry by a special officer to detect “corruption involved by which the legitimate claim of the petitioner has been turned down”.
2. The only grievance of the petitioner is that the basic pay, on the basis of which pension has been calculated for her, after the demise of her husband, who was a clerk in the Ranaghat College, has been incorrectly computed. By an order dated May 8, 2018, pursuant to an order of this Hon’ble Court, the Joint Secretary, Department of Higher Education, Science and Technology and Bio-Technology (Integrated Law Cell) had already held that the petitioner’s claim for arrear salary of Rs.2,51,082/-, was not permissible. By the very same order Joint

Secretary had also directed the Director, Public Instruction, West Bengal, to look into the matter of pay fixation. Pursuant thereto, DPI had also made the necessary pay fixation, which has not been challenged.

3. I have been informed that the order of the Joint Secretary had been challenged before this Hon'ble Court and an interim order was in subsistence till the matter was dismissed for default on December 14, 2022. Thus, there is no subsisting interim order at the present moment.
4. In view of the aforesaid, this writ petition fails and is accordingly dismissed as in view of the subsistence of the order of the Joint Secretary and the order of the DPI which have not been challenged, this writ petition cannot be entertained.
5. There shall, however, be no order as to costs.
6. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)