

11.02.2026
Sl. No.10(DL)
Ct. No.14
srm

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 27127 of 2024

Md. Anesur Rahaman

Versus

The State of West Bengal & Ors.

Mr. Barun Kumar Samanta

...for the Petitioner.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks for direction upon the respondent authorities particularly the respondent No.3, Director of Madrasah Education for disbursement of arrear amount of Rs.5,49,474/- together with interest.
3. The petitioner contends that he was an Assistant Teacher of Batna J.M.O. Senior Madrasah and he retired from service on superannuation on 31st January, 2016. The petitioner made a prayer for his arrear claims of Rs.5,49,474/- before the said Madrasah for the period from 1st November, 1994 till 30th June, 2014 in terms of G.O. No.1263-Edn(M) dated 11th August, 1987 towards incremental benefit as it is admissible for untrained graduate teachers of Senior Madrasah. On 15th February, 2022, the Teacher-in-Charge of the said Madrasah made a prayer before District Inspector of Schools (SE), Malda for arrear of claim of the petitioner.

On 26th June, 2024, the District Inspector of Schools (SE), Malda has forwarded the claim of the petitioner to the Director of Madrasah Education after vetting by Assistant Director of Accounts of the district. Since, the payment was not disbursed, the petitioner made a representation dated 2nd September, 2024 before the respondent No.3, the Director of Madrasah Education as well as other authorities for release of the said amount. However, no steps have been taken. Hence, this writ petition.

4. Mr. Barun Kumar Samanta, learned Advocate for the petitioner submits that the respondent No.3 be directed to disburse the arrear claims of the petitioner together with interest within a stipulated period. In support of his contention, he also relies on a decision of coordinate Bench of this Court passed in *Mohammed Ismail versus The State of West Bengal & Ors. (In Re: WPA 20556 of 2021)*
5. Despite service, none appears on behalf of the State-respondents.
6. It appears from the letter of District Inspector of Schools (SE), Malda dated 26th June, 2024 that the claim of the petitioner has been verified, checked and vetted by Assistant Director of Accounts, Malda. Upon such verification the claim has been forwarded to the Director of Madrasah Education for taking necessary action.
7. Accordingly, the respondent No.2, Principal Secretary, Finance Department, Government of West Bengal and

the respondent No.3, Director of Madrasah Education are directed to take immediate step for releasing the aforesaid amount in favour of the petitioner together with interest @ 8% per annum from the due date till the date of actual payment within a period of 12 weeks from the date of communication of this order.

8. Learned advocate for the petitioner is directed to communicate this order to the respondent No.2, Principal Secretary, Finance Department, Government of West Bengal and the respondent No.3, Director of Madrasah Education, for necessary compliance.
9. With the above direction, the writ petition being **WPA 27127 of 2024** stands disposed of.
10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted,
11. Interim order, if any, stands vacated.
12. All connected applications, if any, stand disposed of.
13. There shall be no order as to costs.
14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
15. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)