

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 27366 of 2024

Md. Roficul Wara
v.
The State of West Bengal & Ors.

Mr. Md. Manuwar Ali
... For the petitioner

Mr. Deepnath Roychowdhury
Mr. Rajsekhar Basu
... For the State

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Mr. Manas Bhattacharyya
... For the WBBSE

Mr. Ali Ahsan Alamgir
Ms. Rabia Khatoon
Mr. Debarpan Bose
Ms. Munni Barman
... For the respondent no.5

Mr. Ali Ahsan Alamgir
Ms. Soma Mal
Ms. June Modak
... For the respondent no.7

1. From the report filed by the District Inspector of Schools (Academic), Murshidabad countersigned by the Assistant Inspector of Schools (Secondary Education), Murshidabad signed on 19th February, 2026, it appears that the petitioner has absented from school for a period of 554 days. The petitioner is yet to apply before the school authority for regularizing his absence.

2. There is already a decision of the West Bengal Board of Secondary Education for proceeding against the petitioner relying upon the enquiry report of the District Inspector of Schools as regards defalcation of funds. The request seeking sanction by the Board has been forwarded to the State Government and the same is pending consideration.

3. The petitioner prays for a direction upon the authorities for disbursal of his terminal dues on his retirement on 31st December, 2023.

4. In view of the fact that the period of absence of the petitioner has not yet been regularized and the request from the Board to initiate proceeding against the petitioner is pending consideration before the State Government, accordingly, the instant writ petition stands disposed of by directing the respondent authorities to continue paying provisional pension to the petitioner, which the petitioner admits receiving, till a formal decision is taken by the Board as regards regularization of the period of absence of the petitioner and the decision of the State Government to permit the Board to proceed with the enquiry against the petitioner.

5. The respondent authorities shall act without any further delay keeping in mind that the petitioner has retired from service long back and prays for disbursal of his terminal dues.

6. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

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

(Amrita Sinha, J.)