

Court No. 19
(265719)

26.02.2026
(AD 5 & 6)
(S. Banerjee)

WPA 1190 of 2026

Balageria Central Co-operative Bank Limited
Vs.
The State of West Bengal & Ors.

in
WPA 29143 of 2025

Mr. Madan Mohan Roy

...for the petitioner
(in WPA 1190 of 2026)

...for the respondent nos. 3, 4 and 5
(in WPA 29143 of 2025)

Mr. Lalit Mohan Mahata, Ld. AGP
Mr. Himadri Mahata

...for the State
(in WPA 1190 of 2026)

Mr. Swapan Kumar Dutta, Ld. GP
Mr. Rajat Dutta
Ms. Ratna Das

...for the State
(in WPA 29143 of 2025)

Mr. Ankit Sureka
Mr. Biplob Das

...for the respondent nos. 4 and 5
(in WPA 1190 of 2026)

...for the respondent no. 2
(in WPA 29143 of 2025)

Mr. Mukteswar Maity
Ms. Monika Sarkar

...for the petitioner
(in WPA 29143 of 2025)
...for the respondent no. 9
(in WPA 1190 of 2026)

Pursuant to the order dated February 17, 2026,
the petitioner in WPA 29143 of 2025 has submitted a
representation dated February 19, 2026 praying for
onetime settlement of his loan account. In terms of

the direction passed in the order dated February 17, 2026, the Assistant General Manager, Balageria Central Co-operative Bank Limited, Contai, Purba Medinipur passed an order dated February 23, 2026 holding that the payable amount of the lonee, i.e., the petitioner in WPA 29143 of 2025, is Rs. 18,09,168.00 if he pays in single phase from his retirement benefit and his employer will pay the same directly to the bank account of the society.

A copy of the order dated February 23, 2026 is taken on record.

On a query of the Court Mr. Maity, learned advocate appearing for the petitioner in WPA 29143 of 2025, on instructions, submits that the petitioner do not have any grievance as to the amount payable as indicated in the order dated February 23, 2026.

It is not in dispute that an agreement in terms of Section 59(1) of the West Bengal Co-operative Societies Act, 2006 has been entered into and in the light of the provisions contained in sub-Section (2) of Section 59 of the 2006 Act, the employer or the drawing and disbursing officer on requisition of the co-operative society in writing and so long as the co-operative society does not intimate the debt or demand has been fully paid, make the deduction in

accordance with the agreement and pay the amount to the co-operative society within 15 days from the date of such deduction as if it were part of the wages payable by him under the Payment of Wage Act, 1936 on the date on which he makes the payment.

Upon going through the provisions of Section 59(1) of the 2006 Act this Court finds that if an agreement is executed in favour of the co-operative society providing that his employer or the drawing and disbursing officer where applicable shall be competent to deduct from the salaries or wages and retiring gratuity or death gratuity payable to him by such employer or the drawing and disbursing officer such amount may be deducted and paid to the co-operative society.

It is not in dispute that the petitioner in WPA 29143 of 2025 is going to retire on February 28, 2026.

Since the amount payable by the said petitioner to the co-operative society has now been settled at Rs. Rs. 18,09,168.00, both these writ petitions (WPA 1190 of 2026 and WPA 29143 of 2025) stand disposed of by directing the Block Medical Officer of Health and Drawing and Disbursing Authority, Basantia, RH Deshpran Block, Contai, Purba

Medinipur, being the 6th respondent in WPA 1190 of 2026, to deduct the amount of Rs. 18,09,168.00 from the salary and the retiral gratuity that the petitioner in WPA 29143 of 2025 may be entitled to, and after such deduction, the balance amount, if any, shall be paid to the said petitioner. The amount deducted from the salary and retiral gratuity on account of the said outstanding amount shall be remitted directly to the Balageria Central Co-operative Bank Limited within 15 days from making such deduction.

This order, however, shall not prevent the petitioner in WPA 29143 of 2025 to take appropriate steps with regard to any property that may have been mortgaged with this bank.

(Hiranmay Bhattacharyya, J.)