

Item No.1
05.01.2026
Court. No. 2
GB

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION*

WPA 2052 of 2025

Md. Eliuddin
VS
The State of West Bengal & Ors.

*Mr. Anirban Banerjee,
Mr. Soumyajit Laskar*

...for the Petitioner.

*Mr. Hirak Barman,
Mr. Bikash Singha*

...for the State.

1. The petitioner was appointed as an Assistant Teacher of Gadong Huzuria Senior Madrasah sometime in 1991. The petitioner retired from service sometime in 2012. Alleging error in pay fixation from April 1, 2008 to March 31, 2012, the petitioner claims that he is entitled to a further sum of Rs.97,084/-. The petitioner approached the Teacher in-Charge of the school and also made a prayer before the District Inspector of Schools (S.E), Jalpaiguri on March 29, 2012 so that arrangements could be made to disburse the amount. Allegation is that the petitioner has been waiting for 13 years, but till date has not received the amount.

2. Learned advocate for the State respondent submits that a hearing was given to the petitioner by the District Inspector of Schools (S.E), Jalpaiguri and a sum of Rs.55,718/- was found to be payable to the petitioner. Accordingly, the Director of Madrasah Education, Government of West Bengal was issued a letter by the said District Inspector of Schools for release of the fund to the District Inspector of Schools so that the amount payable to the petitioner to the tune of Rs.55,718/- could be disbursed.
3. From the aforementioned facts, it is clear that the competent authority found that the pay fixation of the petitioner was erroneous and the petitioner was entitled to Rs.55,718/-. The petitioner however claimed Rs.97,084/-.
4. The above discrepancy cannot be decided by the writ Court.
5. The District Inspector of Schools has already held a hearing. The District Inspector of Schools shall communicate the calculation arrived at, to the petitioner by passing a reasoned order. In the meantime, the Director of Madrasah Education shall release the fund claimed by the District Inspector of Schools (S.E) so that the said amount can be disbursed to the petitioner within two months from date.

6. If the petitioner is aggrieved by the calculation, the petitioner is at liberty to take further steps, in accordance with law, if permissible.
7. The District Inspector of Schools (S.E), Jalpaiguri shall supply the calculation with a reasoned order within three weeks from date. However, even if, there is a discrepancy in the claim made by the petitioner and the amount calculated by the District Inspector of Schools (S.E), Jalpaiguri, the Director of Madrasah Education shall forthwith transfer the amount claimed by the District Inspector of Schools (S.E), Jalpaiguri within a period of four weeks, so that the disbursal of the sum can be made to the petitioner within the period mentioned hereinabove.
8. Accordingly, the writ petition is disposed of.
9. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)