

14.
(DL)

23.04.2025
Ct. No. 18
(ARPAN)

W.P.A. 8028 OF 2025

**Liakat Ali
Vs.
The State of West Bengal & Others**

Mr. Anindya Bose, Adv.
Mr. Golam Mohiuddin, Adv.
Mr. Mridul Biswas

...for the Petitioner

Mr. Arindam Chattopadhyay, Adv.
Ms. Lipika Chatterjee, Adv.

...for the State

Mr. K.M. Hossain, Adv.
Mr. K. Sutradhar, Adv.

...for Respondent Nos.10 & 11

Affidavit of service filed on behalf of the petitioner is taken on record.

Learned advocate representing the petitioner submits that petitioner was a Clerk of Haripur High Madrasah (H.S.), Dakshin Dinajpur, who retired on superannuation on 31st March, 2025.

Grievance of the petitioner is in spite of superannuation of the petitioner with effect from 1st April, 2025, till date retiral dues have not been released in his favour. Petitioner prays for necessary direction for release of retiral dues expeditiously.

State respondents and aforesaid madrasah authority are represented by learned advocates.

It is submitted by learned advocate representing madrasah authority that based on certain allegations relating to purchase of land by the petitioner, a suspension order was issued against the

petitioner on 18th March, 2025 and the proposal for suspension was forwarded by the madrasah authority to the West Bengal Board of Madrasah Education (hereinafter referred to as '*Board*') for approval. It is further submitted on behalf of madrasah authority that on query it is informed Board is taking steps to decide on the fate of suspension order dated 18th March, 2025.

Today Board is not represented in spite of service of notice.

Notwithstanding pendency of suspension order and disciplinary proceedings/ criminal proceedings in terms of relevant provisions of Death-cum-Retirement Benefit Scheme, 1981, petitioner is entitled to receive provident fund and provisional pension.

Concerned respondent authorities are directed to release provident fund and provisional pension to the petitioner by four (4) weeks from the date of communication of this order.

The concerned authority of West Bengal Board of Madrasah Education is directed to decide the fate of suspension order dated 18th March, 2025 issued against the petitioner by six (6) weeks from the date of communication of this order.

With the above directions, writ petition stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon usual undertakings.

(Saugata Bhattacharyya, J.)