

S/L 32-33
10.02.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 15178 of 2024

With

WPA 15419 of 2024

Sipra Acharjee (Chatterjee)

Vs.

The State of West Bengal & Ors.

Mr. Soumik Ganguli

Ms. Indrani Roy

Mr. Pritam Chowdhury

...for the Petitioner.

Mr. Debabrata Mondal

...for the State.

Mr. Shuvro Prokash Lahiri

Mr. Ankan Mondal

...for the Respondent No.9.

1. The petitioner is a retired teacher of a school. She alleges that she has not received her terminal dues. She retired on January 31, 2024. Specific allegation of the petitioner is that the Headmaster is behaving with her in a vindictive manner and is deliberately not processing her pension file.

2. Learned advocate representing the school authority submits that a criminal case is pending against the petitioner for which she will not be entitled to receive her terminal dues.

3. In the course of argument, learned counsel for the school submits that the petitioner disclosed fake documents in connection with the birth certificate of her daughter. The Headmaster lodged a complaint before the police and an FIR has been lodged.

4. Learned advocate representing the petitioner submits that the daughter of the petitioner appeared in the madhyamik examination and cleared the same and is currently pursuing her graduation course.

5. The submission of the school as regards fake birth certificate of the daughter of the petitioner cannot be adopted by the school as neither of the parents of the child raised any objection with regard to her date of birth. The daughter of the petitioner was permitted to appear in the madhyamik examination where her date of birth is clearly recorded in her admit card.

6. Had the school any doubt with regard to the date of birth of the petitioner's daughter, then the madhyamik certificate of her daughter could have been relied upon for ascertaining her proper date of birth. On the plea of submission of contrary documents in relation to the date of birth of her daughter, the school ought not to have withheld the pension file of the petitioner.

7. As regards pendency of the criminal case, there is nothing on record to suggest that the act of the petitioner has caused any financial loss to the school or the criminal case is connected with the affairs of the school in any manner whatsoever. On the plea of submission of fake documents relating to the date of

birth of the petitioner's daughter, complaint was lodged before the police.

8. As the petitioner has, admittedly, retired from service more than two years back, it is high time that the school processes her pension file and forwards the same to the District Inspector of Schools for onward transmission to the DPPG for issuance of PPO.

9. The school has also raised an issue with regard to the house rent allowance withdrawn by the petitioner.

10. It appears that the petitioner is a widow and her husband died in the year 2014. The petitioner was in service for nearly ten years after the death of her husband. None of the respondents raised any issue with regard to the house rent allowance withdrawn by her as long as she was in service. Just prior to retirement, various issues are being raised apparently at the instance of the Headmaster who is trying tooth and nail to delay the grant of pension in her favour. The attitude of the school appears to be absolutely mala fide.

11. The writ petition is made returnable on March 17, 2026 to note further updates.

12. The records of WPA 15419 of 2024 have been placed before the Court. It appears that the said writ petition stood dismissed vide order date May 2, 2025.

13. Accordingly, the records of WPA 15419 of 2024 be returned to the department.

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

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

(Amrita Sinha, J.)