

WPA 20782 of 2025

23.3.2026

Ambika Charan Pan-vs-The State of West Bengal & Ors.

Ct. 652, sl.33  
sk

Mr. Sourav Mitra  
Ms. Sreyasree Chowhdury  
....for the petitioner.

1. The petitioner's grievance is with regard to direction for deposit of alleged overdrawn salary of him to the tune of Rs. 4, 33,916/-, which was directed to be deposited only before five days, from the date of superannuation of the writ petitioner.
2. Mr. Mitra, learned advocate for the petitioner has specifically relied on the judgment of the Supreme Court in the **State of Punjab & Ors. Vs. Rafiq Masih (White Washer) & Ors.** reported in (2015)4 SCC 334. He says that in terms of the ratio thereof, the law now well-settled is that, before one year of the date of superannuation, no refund can be claimed by the employer, even on the ground of erroneous calculation of salary.
3. He further submits that in spite of direction, respondent authorities have not filed affidavit-in-opposition as yet.
4. Since no one is appearing for the respondent authority today at the time of call. Let a notice be served upon the respondents/ State.

6. Let this matter be listed under the same heading on 25.03.2026.

**(Rai Chattopadhyay, J.)**