

12
06.10.2026
Ct. No.6
P.A./A,P

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

WPA No. 1767 of 2026

**The Jalpaiguri Central Co-Operative Bank Limited
v/s
The State of West Bengal and Ors.**

Mr. Momenur Rahman
Mr. Bikash Singha

...for the petitioner.

Mr. Kunaljit Bhattacharjee, Ld. AGP
Mr. Salok Sah
Ms. Supriya Singh
Ms. Esha Acharya

...for the State.

On prayer of the petitioner, liberty is granted to
correct the case number in the affidavit of service.

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

The private respondent and the School
authorities are not represented despite service.

Learned counsel for the petitioner submits that
the private respondent who was appointed as an
Assistant Teacher in Dhupguri High School and was
subsequently transferred to Maynaguri Subhas
Nagar High School in Maynaguri availed of a house
loan of Rs. 8,00,000/- from the petitioner bank and

failed to repay the same for which an application for reference under Section 139 of the West Bengal Co-operative Societies Act, 2006 and Rules 2011 was made pursuant to which an award was passed by the Deputy Registrar of Co-operative Societies, Jalpaiguri on 7th June, 2023 directing the private respondent to repay Rs. 5,17,902/- within 7th September, 2023 and to regularize the repayment of his remaining loan amount as per banking norms. The private respondent did not pay heed to the said award for which reference for certificate under Section 143 of the Act was made before the Certificate Officer of the district by the Chief Executive Officer, Jalpaiguri Central Co-operative Bank Limited on 3rd October, 2023. Certificate of public demand was issued by the Certificate Officer on 19th September, 2024 pursuant to which the private respondent was called upon to pay Rs. 14,14,073/- in terms of the award dated 7th June, 2023 within 30 days of service of the notice. Since the award was not complied with by the private respondent, petition for attachment of his salary was filed before the Certificate Officer on 6th December, 2024. The application was allowed by the Certificate Officer on 7th January, 2025 directing the District Inspector of Schools (S.E.), Jalpaiguri to withhold/deduct an amount of Rs. 14,14,073/-.

from the salary/allowances of the private respondent in monthly installments of Rs. 32,886/- and remit the same to the accounts of the certificate holder mentioned in the order. The order was communicated to the District Inspector of Schools by the Chief Executive Officer of the bank on 17th February, 2025. A subsequent reminder was also sent to the District Inspector of Schools on 22nd October, 2025 but to no effect. The petitioner seeks a direction upon the concerned authority to take necessary steps in terms of the order passed by the Certificate Officer communicated to the authority by the bank.

Learned counsel for the State submits that the District Inspector of Schools has no authority to withhold/deduct salary/allowances of any employee of the school since such payment is made through the Integrated Online Salary Management System Portal.

In view of the above, the District Inspector of Schools (S.E.), Jalpaiguri, being the 4th respondent herein, is directed to take necessary steps in terms of the award passed by the Certificate Officer on 7th January, 2025 and the letters issued to him by the bank on 17th February, 2025 and 22nd October, 2025 and forward the award/communications to the Commissioner of School Education, West Bengal

within two weeks from the date of communication of this order.

After the applications are forwarded by the District Inspector of Schools to the Commissioner of School Education, West Bengal, being the 3rd respondent herein, the said respondent shall deal with the issue and take necessary steps in terms thereof within four weeks from the date of receipt of such communication.

The writ petition is disposed of accordingly.

There shall however be no order as costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

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

(Suvra Ghosh, J.)