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Ct. No. 19
14.10.2020

**W.P.A. 6341 of 2020
CAN 1 of 2020 (Old No : CAN 4885 of 2020)
(Via Video Conference)**

**Arup Kumar Mondal
Vs.
The State of West Bengal & Ors.**

Mr. Khandekar Moazzem Hossain
... For the petitioner.

Mr. Supriyo Chattopadhyay, Sr. Govt. Adv.,
Mr. Suman Dey ... For the State respondent.

The petitioner was the Headmaster of Gobindarampur Aswini Kumar High School (H.S.), Village & Post Office – Gobindarampur, Police Station Kakdwip, District 24 Parganas (South) and has retired from his service on July 31, 2019.

The petitioner complained that the respondent school authorities were not transmitting the relevant papers necessary for the disbursement of the pension of the petitioner to the District Inspector of Schools (S.E.), South 24 Parganas, respondent no. 3 herein as a result the disbursement of the pension of the petitioner is being delayed.

In view of such allegation of the petitioner the respondent school authorities by an order dated September 4, 2020 were directed to transmit all relevant papers to the respondent no. 3 facilitating disbursement of the said pension.

Mr. Khandekar Moazzem Hossain, learned counsel appearing on behalf of the petitioner informs this

Court that pursuant to the said direction the relevant papers have been transmitted to the said respondent no. 3.

Mr. Chattopadhyay, learned counsel appearing on behalf of the State respondents submits that a criminal case is pending against the petitioner and a charge-sheet has already been filed in connection with the said criminal case, as such the pension sanctioning authorities are unable to disburse the full pension to the petitioner due to the restriction under D.C.R.B. Rules. He, however, submits that the provisional pension and the admissible dues of the petitioner can be released.

In view of such position of the matter, W.P.A. 6341 of 2020 is disposed of by directing the respondent no. 3 to disburse the provisional pension and other admissible dues of the petitioner within three weeks from the date of communication of this order.

The connected urgency application being CAN 1 of 2020 (Old No.: CAN 4885 of 2020) is disposed of accordingly.

No order as to costs.

Affidavit-in-opposition since has not been invited the allegation made in the writ petition deemed to have been denied by the respondents.

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

(Biswajit Basu, J.)