

29.11.2021

BP
Sl. 1
Court No. 17

WPA 5277 of 2019

(Via Video Conference)

Sujan Kumar Ghosh

Vs.

The State of West Bengal & Ors.

Mr. Gazi Faruque Hossain

Ms. Priyanka Mandal

..for the petitioner.

Mr. Supriyo Chattopadhyay

Mr. Sabyasachi Mondal

..for the State.

Mr. Sahmim ul Bari

..for the respondent no.8.

This is a matter of refixation of pension on the basis of 2009 ROPA Rules. The petitioner, who is the retired school teacher, is already getting pension. It was depicted before this court that it is a case of not getting any pension and that is why I first called the Headmaster of the concerned school, who appeared and then I called the District Inspector of Schools (SE), South 24 Parganas, who has also appeared today.

Now, learned advocate for the State Mr. Chattopadhyay has clarified that this is not at all a question of not getting any pension. The petitioner is getting pension. He now wants refixation of pension.

Learned advocate for the petitioner has failed to

show me the pleading that it is a case for refixation of pension.

In such circumstances, I find that the necessary pleading is not there. The writ application is dismissed. The personal appearance of the District Inspector of School is dispensed with.

This is a fit case for imposition of costs for making incorrect submission before this court on the part of the petitioner but as the petitioner is a retired person, I refrain from imposing any cost.

This writ application is dismissed with liberty to file afresh with proper pleading.

(Abhijit Gangopadhyay, J.)

