

13-09-2021
ct no. 05
Sl. 18
Sayandeep

W.P.A. 12829 of 2021

Bishnu Nanda

-Versus-

The State of West Bengal & Ors.

(Via Video Conference)

Mr. S.P. Pahari

...for the petitioner

Ms. Jayita Sinha

Mr. Sandip Mandal

....for The State

This is a writ petition for payment of retiral dues in view of superannuation of the writ petitioner from the post of assistant teacher in a Government aided recognized secondary school on 31st March, 2020. It has been submitted on behalf of the writ petitioner that in spite of superannuation of the writ petitioner on 31st March, 2020 till the date of filing of the writ petition retiral dues including provident fund were not released in his favour.

Ms. Sinha, learned advocate appears on behalf of the State respondent and submits on earlier occasion due to certain observations made with regard to preparation of pension papers of the writ petitioner as contained in memo dated 25th June, 2021 issued by the

Deputy Director of Accounts (SE), Paschim Medinipur the claim of retiral dues of the writ petitioner could not be settled. Ms. Sinha has submitted that during the pendency of the writ petition provident fund dues has already released in favour of the writ petitioner.

On earlier occasion this Court passed an order dated 6th September, 2021 thereby directing the concerned respondent authorities to take steps for payment of provident fund dues but today upon hearing the learned advocates representing the parties, it appears that such direction was not necessary since prior to passing direction on 6th September, 2021 in this regard, provident fund dues were already released in favour of the writ petitioner.

Today Ms. Sinha has placed before this Court one writing dated 9th September, 2021 issued by the District Inspector of Schools(SE), Paschim Medinipur wherefrom it appears that the pension file of the writ petitioner has already been sent to the office of the Director Pension Provident Fund and Group Insurance on 8th September, 2021 for issuance of pension payment order. Such writing to the District Inspector of Schools(SE), Paschim Medinipur is taken on record.

In view of submission made on behalf of the State respondents relating to forwarding of pension file of the writ petitioner to the office of the Directorate of Pension, Provident Fund and Group Insurance on 8th September, 2021 it is clear that the objections/observations made by Deputy Director of Accounts(SE), Paschim Medinipur have already been complied with and there is no impediment with regard to releasing retiral dues in favour of the writ petitioner.

The Director of Pension, Provident Fund and Group Insurance being the respondent No. 2 is directed to issue pension payment order in favour of the writ petitioner within a period of four weeks from the date of communication of this order and within a period of two weeks thereafter necessary formalities are to be completed by the concerned respondent authorities for releasing of retiral dues in favour of the writ petitioner.

With the above observation, the writ petition stands disposed of.

There shall be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon compliance with the necessary formalities.

(Saugata Bhattacharyya, J.)