

WPA 11355 of 2014

**Prasanta Kumar Sen
Vs.
The State of West Bengal & Ors.**

**Mr. Bikram Banerjee
Ms. Sumitra Das
...for the petitioner**

**Mr. Tulsidas roy
Mr. Shayak Chakraborty
..for the State**

**Mr. Subrata Mukhopadhyay
..for the respondent nos. 3 to 5**

This writ petition is at the instance of Headmaster of Chowhati High School (H.S.), South 24 Parganas wherein, inter alia, prayer has been made for payment of retiral dues as well as pension. The writ petition is heard in presence of the learned advocates representing the writ petitioner, State respondents and the school authority. It is submitted on behalf of the State respondents by Mr. Tulsidas Roy, learned advocate that the retiral dues and the provident fund dues have already been released in favour of the writ petitioner pursuant to the pension payment order issued under memo dated 28th October, 2013. The writ petitioner is in receipt of pension as well as other retiral dues.

It also appears from the submissions made on behalf of the learned advocates representing the State respondents as well as school authority that the provident fund amount to the tune of Rs. 13,30,772/- has already been paid to the writ petitioner.

It is submitted by Mr. Bikram Banerjee, learned advocate that there is delay with regard to payment of provident fund dues to the writ petitioner. Prayer has been made for grant of interest on delayed payment of provident fund.

From documents available on records of this writ petition, it cannot be ascertained that which authority was to be attributed for the delay caused in releasing provident fund dues in favour of the writ petitioner, whether the school authority or the State respondents. Therefore, in this writ petition no interest can be granted in favour of the writ petitioner on delayed payment of provident fund. However, leave is granted to the writ petitioner to take steps in accordance with law, if so advised, on the grievance of non-grant of interest on delayed payment of provident fund.

Since it is discernable that the grievance which has been ventilated in this writ petition relating to payment of pension and other retiral dues has already been redressed, no order need be passed

on this writ petition and the same is accordingly, disposed of.

However, there shall be no order as to costs.

The document dated 21st September, 2021 issued by the District Inspector of Schools (SE), South 24 Parganas relating to release of provident fund dues to the writ petitioner is taken on record.

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

(Saugata Bhattacharyya, J.)