

S/L 4
04.02.2021
Court No.26
SD

**WPA 9442 of 2020
(Via Video Conference)**

Smt. Kalpana Bhakta
Vs.
State of West Bengal & Ors.

Mr. Sakti Pada Jana

...for the Petitioner.

*Mr. Supriyo Chattopadhyay
Mr. Sabyasachi Mondal*

...for the State.

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the inaction on the part of the respondent authorities in giving her consequential benefits subsequent to order passed by the Commissioner of School Education, West Bengal on October 16, 2020.

Counsel appearing on behalf of the petitioner submits that the Post-Graduate scale of pay has been allowed with effect from May 20, 1981. He submits that he had been receiving the pay scale on the Post-Graduate scale with effect from May 30, 1981. He accordingly submits that he is willing to accept the Post-Graduate scale of pay with effect from May 30, 1981 and the authorities be directed to release her pensionary benefits immediately on the basis of last admissible pay.

I have heard counsel appearing on behalf of the parties and perused the materials on record.

In light of the above, the District Inspector of Schools (S.E.), South 24-Parganas is directed to forward the pension papers of the petitioner to the Director of Pension, Provident Fund and Group Insurance within a period of three weeks from date and thereafter the Director of Pension, Provident Fund and Group Insurance is directed to issue the Pension Payment Order (PPO) within a period of four weeks from the date of receipt of the papers from the District Inspector of Schools.

Needless to mention, the arrear amount of pension of the petitioner should also be paid expeditiously.

With these observations, this writ petition stands disposed of.

Since, no affidavit-in-opposition has been called for the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

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

(Shekhar B. Saraf, J.)