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24.11.
2021
Ct. No.17

WPA 11273 of 2020

Sambit Sarkar
Vs.
The State of W. B. & Ors.

Mr. Mahadeb Sarkar
Mr. Pravash Chowdhury
.....For the Petitioner

Mr. Pinaki Dhole
Mr. Pinaki Bhattacharyya
.....For the State

The petitioner was a school teacher. After serving the school nearly 29 years, he expired due to brain cancer. Considering the special circumstances of the case, the Government has converted the case of retirement benefit from contributory provident fund to one in pension-cum- gratuity scheme and an appropriate Notification to this effect has been issued on 03.11.2021 which has been handed over by Mr. Dhole, learned advocate for the State to this court.

The said Memo dated 03.11.2021 is kept on record.

Now, the problem the petitioner is facing, as has been submitted, that the pension papers had to be processed and forwarded by the D. I. of Schools which are required to be done.

Considering this subsequent provision as

appears from the said Memo of the School Education Department, Government of West Bengal dated 03.11.2021, such prayer is considered without any supplementary affidavit considering the facts and circumstances of the case.

Learned advocate for the State has submitted that some papers and documents had to be sent properly by the concerned D. I. of Schools to the Director of Pension, Provident Fund and Group Insurance, Govt. of W. B. and upon receiving the same, proper steps would be taken for giving the family pension to the family of the deceased school teacher.

I direct the D. I. of Schools to take immediate steps within a period of two months from the date of communication of this order and to forward all the papers to the Director of Pension, Provident Fund and Group Insurance, Govt. of W. B. and if necessary he would request any of the family members of the deceased petitioner to attend his office and also the school authority, for completion of these papers. The request to attend his office is to be made in writing by the D. I. of Schools within a period of four weeks from date, if necessary.

With the above observation and expectation that there will not be any unreasonable delay in granting the family pension to the family of the deceased

teacher, the writ petition is disposed of.

(Abhijit Gangopadhyay, J.)