

Court No. 17

WPA 298 of 2022

31.01.2022

(AD Unlisted)

(S. Banerjee)

Apurba Lal Chattopadhyay
Vs.
The State of West Bengal & Ors.

(Via Video Conference)

Mr. Rudrenil De

... for the petitioner

Mr. Malay Kumar Singh
Ms. Neelam Singh

... for the State

Let the affidavit of service filed in court today be kept on record.

The petitioner's grievance is that though he retired as a teacher from the school on 31st January, 2018, he has not been given any pensionary benefit because of objection raised by the Director of Pension, Provident Fund and Gratuity.

However, today learned advocate for the State has submitted that all pension papers relating to the petitioner were sent to the District Inspector of Schools and the District Inspector of Schools has sent all such papers to the Commissioner of School Education for taking a decision in this regard, i.e., payment of pension and retiral benefits.

I direct the Commissioner of School Education to take a decision in this regard after giving an opportunity of hearing to the petitioner and if necessary to the District Inspector of Schools, the school and any

appropriate officer of DPPG before passing a reasoned order in this regard.

Learned advocate for the State submits that the petitioner is required to file all the medical documents and the learned advocate for the petitioner objected to that by stating that the special leave has already been sanctioned by the managing committee.

However, the Commissioner of School Education will also definitely look into this aspect of the matter before passing the reasoned order.

The hearing is to be taken by the Commissioner of School Education by two months from the date of communication of this order and the reasoned order in this regard will be passed by him by two weeks thereafter and copy thereof is to be sent to the petitioner and other parties.

With the above observation and direction this writ application is disposed of.

(Abhijit Gangopadhyay, J.)