

Item No.108

10.02.2022

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

WPA 1864 of 2022

Arati Rani Giri

v.

The State of West Bengal & Ors.

Mr. N.I. Khan

Mr. Amlan Kumar Mukherjee

... for the petitioner.

Mr. Tapan Kumar Mukherjee

Mr. Rajat Dutta

... for the State.

Affidavit-of-service filed in Court today is taken on record.

The petitioner prays for implementation of the request made by the Secretary, Paschim Medinipur District Primary School Council to the Deputy Director of School Education vide Memo No. 7796/3/PFDA dated December 6, 2019.

By the said memo the Secretary of the Paschim Medinipur District Primary School Council forwarded all the documents of the petitioner to the Deputy Director of School Education for consideration of the prayer of the petitioner to deposit CPF money upto date with interest till December 2019 for availing the benefit of switch over to the GPF scheme.

The said memo mentions that the petitioner exercised option to switch over to GPF on July 1, 2014

and the option form by the teacher was duly counter-signed by the concerned Sub-Inspector of Schools as per GO No. 74-SE(L) dated June 13, 2014.

As there was no response from the Deputy Director of School Education, the petitioner made representation before the respondent authorities on January 1, 2022 and alleges that the said representation has not been considered till date.

Be it mentioned that the petitioner retired on attaining her age of superannuation on November 30, 2021.

As it appears that the prayer of the petitioner praying for switching over to the GPF Scheme is pending consideration at the end of the respondent authorities, accordingly, the writ petition is disposed of by directing the Deputy Director of School Education (Rural Primary), Government of West Bengal to take a decision with regard to the representation filed by the petitioner strictly in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

Sh

(Amrita Sinha, J.)