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Ct 550

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 3917 of 2022

Manaranjan Chakraborty
Vs.
The State of West Bengal & Ors.

Mr. Victor Chatterjee,
Mr. Barnamoy Basak,
... For the petitioner.

Mr. Ayan Banerjee
Ms. Debasree Dhamali
... For SBSTC.

Mr. Jasobanta Rakshit
... For the respondent no.6.

Mr. Rakshit, learned advocate appearing for the respondent no.6 submits that computation errors have crept in by reasons of incorrect representation made in the previous 10D Form filed with the Provident Fund Authorities. He says that pension payable to the writ petitioner shall be revised subject to submission of a request letter by the writ petitioner in the form of revised 10D Form to be filed by the writ petitioner along with the respondent no.2.

Mr. Banerjee, learned advocate, representing South Bengal State Transport Corporation (in short, SBSTC), by drawing attention of this Court to a report filed by the said respondent submits that the said respondent having detected that the date of birth of the petitioner was wrongly indicated in 10D Form, had later filed a revised

10D Form incorporating therein the correct date of birth of the writ petitioner. According to Mr. Banerjee, the said respondent has already taken steps for rectification of all the errors in 10D Form and nothing further requires to be done.

I have considered the submissions made by the parties. I am of the view that no useful purpose will be served in keeping the writ application pending especially when the matter pertains to computation errors in disbursal of pensionary benefits to the petitioner. As would appear from the above the controversy is with regard to the statement of disclosure of correct particulars of the petitioner in 10D Form. However, there is no dispute as regards the date of birth or the date of leaving service of the petitioner.

Having regard to the statement made by Mr. Rakshit, I direct the petitioner and the respondent SBSTC to file a revised 10D Form incorporating the date of birth and the date of leaving service, for the respondent no.6, to do the needful.

The respondent SBSTC is directed to resubmit the aforesaid 10D Form with the respondent no.6 within a period of two weeks from date.

In the event, the aforesaid revised 10D Form is submitted, the respondent no.6 shall revise the

pensionary benefit payable to the petitioner and issue a revised Pension Payment Order (PPO). The entire exercise must be completed within a period of six weeks from the date of filing of the revised 10D Form by the respondent/SBSTC.

With the aforesaid observations and/or directions, the instant writ application, being WPA 3917 of 2022 stands disposed of.

There shall, however, be no order as to costs.

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

(Raja Basu Chowdhury, J.)