

Item No.55
Ct. No.24
12.04.2022
TN

WPA No. 4875 of 2022

Prafulla Kumar Biswas
Vs.
The State of West Bengal and others

Mr. Animesh Mukherji
.... for the petitioner

Ms. Sima Adhikari,
Ms. Kakali Naskar
.... for the State

Affidavit-of-service filed in court today be taken
on record.

The petitioner is a retired primary school
teacher. He has not been paid his pension as he did
not attain the qualifying service period of ten years.
The petitioner was in service for 09 years 03 months
and 05 days.

He made a representation before the respondent
authorities praying for consideration of his prayer for
grant of pension upon condoning his period of
shortfall of 08 months 25 days for attaining the
qualifying service period of ten years.

According to the DCRB Scheme, 1981, the shortfall in qualifying service up to six months may be condoned.

In the present case, the shortfall is more than six months. No provision of law has been shown before this Court which permits condonation of shortfall of more than six months in service.

In view of the above, no relief can be granted to the petitioner in the instant case.

The writ petition fails and is hereby dismissed.

Instruction given by the District Inspector of Schools, Primary Education, Purba Bardhaman be retained with the records.

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

(Amrita Sinha, J.)