

23
10.05.2022
Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 5526 of 2022

Smt. Gita Rani Pan
Versus
The State of West Bengal & Ors.

Ms. Mousumi Bhowal
... for the petitioner

Mr. Santanu Kumar Mitra
Mr. Mirza Kamruddin
... for the State

The widow of a Primary School Teacher has approached this court by filing the present writ petition praying for a direction upon the respondent authorities to permit her to file application for conversion of the CPF option which was exercised by her husband to the GPF option.

The teacher died in harness on 28th November, 1989. When the teacher was alive, he submitted his option for obtaining contributory provident fund.

The widow after the death of the teacher seeks to change the option, which was submitted by her husband while in service. The widow applied on 6th June, 2005 with her prayer before the Director of Pension permitting her to convert from CPF scheme to the GPF scheme.

Though the document which has been annexed at page 34 of the writ petition is dated 6th June, 2005, there is no proof to show that the said letter was actually submitted before the respondent, Director of Pension. The petitioner thereafter did not take any steps to pursue her claim. The present writ petition has been filed in March, 2022 with prayer for converting to GPF from CPF scheme.

It appears that there has been inordinate delay on the part of the petitioner in proceeding with her claim. The teacher expired in the year 1989 and in the year 2022 the prayer of the widow for converting from the CPF to the GPF scheme cannot be accepted by the Court. There is no explanation with regard to the delay in approaching this Court.

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.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)