

S/L 57
15.12.2022
Court. No. 12
Suwayan

WPA 12086 of 2013

Sri Nirapada Panja
Vs.
The State of West Bengal & Ors.

Mr. Dwarika Nath Mukherjee
Mr. S. Mitra
Mr. Manik Lal De

...for the petitioner.

Mr. Naren Ghosh Dostidar

...for the State.

By filing the instant writ petition under Article 226 of the Constitution it has been contended by the writ petitioner that he has been appointed as an Assistant Teacher in Bowai High School in the District of Purba Burdwan on 05.07.1975 and on 10.07.1976 his appointment was approved by the District Inspector of Schools (S.E.), Purba Burdwan. It is the further case of the petitioner that with effect from 15.05.1981 he has been appointed as Headmaster of Nirbhoypur B.G.N. Sikshaniketan (H.S.), P.O. Arambagh, District – Hooghly and he was made permanent in the said post of headmaster with effect from 01.01.1982. It is the grievance of the present petitioner that though he retired on 31.08.2012 even then he has not been provided with the pensionary benefits by the respondent authorities. Learned Advocate for the writ petitioner thus submits that considering the precarious condition of the present petitioner who is none but a retired headmaster of a government aided school appropriate order may be passed as against the respondents more specifically upon

the respondent No. 2 to release the retirement benefits in favour of the present writ petitioner within a specific date along with interest.

Learned Advocate for the State in his usual fairness submits before this Court that in the event the prayer of the writ petition is allowed, justice will be sub-served.

On perusal of the entire materials as placed before this Court and after hearing learned Advocate for both sides, this Court is convinced that the present petitioner is successful in making out a case for obtaining a favourable order. In view of such, the respondent No. 2, i.e., The Director of Pension, Provident Fund and Group Insurance, Purta Bhavan, Salt Lake, 2nd Floor, Kolkata – 700 091 is hereby directed to issue Pension Payment Order (PPO) on the basis of the last pay drawn to the tune of Rs. 40,830/- and to release all the terminal benefits positively in favour of the present petitioner within two months from the date of communication of this order.

It is also ordered that on account of delay the present petitioner is entitled to simple interest at the rate of 8 per cent per annum and the interest amount shall have to be calculated from the date of retirement till the actual payment.

With the aforementioned observation the instant writ petition is hereby disposed of.

Department is hereby directed to forward a copy of this order to the respondent Nos. 2 and 4 as well as to the Principal Secretary, School Education Department,

Government of West Bengal for their immediate compliance.

With aforementioned observation, WPA 12086 of 2013 is disposed of.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)