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12.04.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 15656 of 2021

**Pramila Behara
-versus
State of West Bengal & Ors.**

**Ms. Bratati Dutta.
...For the Petitioner.**

**Mr. Raja Saha,
Mr. Shamim Ul Bari.
...For the State.**

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

The petitioner claims to be the widow of a deceased primary school teacher. The teacher retired from service on attaining his age of superannuation on 31st January, 2000 and he expired on 10th July, 2005.

The petitioner claims benefit in terms of the Notification published by the School Education Department, Government of West Bengal on 13th June, 2014.

The Notification dated 13th June, 2014 was published in accordance with the judgment and order dated 16th July, 2013 passed by the Hon'ble Special Bench of this Court in APO No. 94 of 2009 (State of West Bengal -vs- Abhijit Baidya & Ors.).

By the said Notification, three months' time period was granted to the teaching and non-teaching staff of recognized non-government aided educational

institutions, whether in service or retired, to switch over to Pension-cum-Gratuity Scheme under the West Bengal Recognized Non-Government Educational Institutions (Death-cum-Retirement Benefit) Scheme, 1981.

The petitioner claims that she was not permitted to file the option to switch over to the Pension-cum-Gratuity Scheme.

The petitioner thereafter did not take any steps to pursue her claim. After getting knowledge of several orders passed by this Court, she filed the present writ application praying for relief.

It appears from the Notification dated 13th June, 2014, that the time period to file the option has long expired and at this stage, there is no scope for extension of time for filing the option.

In view of the above, no relief can be granted to the petitioner in the present writ petition.

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.)