

Court No. 17

WPA 18131 of 2022

28.09.2022

(AD 108)

(S. Banerjee)

Sankar Kumar Mondal

Vs.

The State of West Bengal & Ors.

Mr. Arunava Pati

... AoR of the petitioner

Let the affidavit of service filed in court today be kept with the record.

The petitioner served in a primary school as an Assistant Teacher for 9 years 6 months and 12 days which is short of very few months from the qualifying service for getting pension. The petitioner filed one representation for condonation of the shortfall to the Principal Secretary, School Education Department on 17.06.2022. He retired from his service on 29th February, 2020.

In such circumstances I direct the Principal Secretary, School Education Department to given an opportunity of hearing to the petitioner by four weeks from the date of communication of this order and to pass a reasoned order thereafter and to communicate the same to the petitioner immediately by seven days after passing the order.

It has been submitted by the petitioner that in the Death cum Retirement Benefit Rules there is a provision for condonation of the shortfall period up to six months and here the shortfall is 5 months 18 days.

Therefore, I hope and expect that exercising the provision of the DCRB Rules, the petitioner's case will be decided.

With the above observation and direction, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)