

Court No. 24

10.02.2022

(Item No. 1)

(AB)

W.P.A. 19060 of 2021
(via video conference)

Diptiranjana Seal

VS

The State of West Bengal & Ors.

Mr. Saibal Acharya

Mr. Sukhendu Bikash Mukherjee

Mr. Jagadish Chandra Halder

..... for the petitioner

Mrs. Chama Mookherji

Mr. Gourav Das

..... for the State

The petitioner is a retired Primary School Teacher. She is aggrieved by the reasoned order dated 16th December, 2019 passed by the Principal Secretary, School Education Department refusing her prayer for grant of pension.

The impugned order mentions that as the petitioner did not attain ten years' qualifying service period, accordingly, pension cannot be granted in her favour in terms of the DCRB Scheme, 1981. The reasoned order mentions that there is no provision in the Scheme for condonation of deficiency in qualifying service for more than six months.

In the present case there is a shortfall of nine months and ten days.

Admittedly, the DCRB Scheme does not contain any provision for condoning shortfall in qualifying service for more than six months.

The present issue is already covered by the judgment of this Court dated 23rd December, 2021 passed in WPA No. 2310 of 2020 (Dinesh Mondal Vs. The State of West Bengal & Ors.)

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

(Amrita Sinha, J.)