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11.04.2022
d.p.

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

W.P.A 20413 of 2021

**Nishikanta Giri
-versus
State of West Bengal & Ors.**

**Mr. Subhrangsu Panda,
Ms. Mithu Singha Mahapatra.
...For the Petitioner.**

Affidavit-of-service filed in Court today is taken on record. None appears for the State.

The petitioner retired from service on attaining his normal age of superannuation on 31st December, 1997. Pension Payment Order was issued in his favour on 3rd August, 1999 and he received the amount in the year 2001.

The petitioner claims that the benefit of ROPA 1998 was not accorded at the time of issuance of pension in his favour.

The petitioner claims to have made representation on 9th March, 2018.

There is nothing on record to show that the petitioner ever applied before the authority praying for grant of benefit of ROPA.

ROPA 1998 was made effective from 1st January, 1998. The petitioner has not made any representation praying for grant of that benefit in his favour.

The instant writ petition is disposed of by granting liberty to the petitioner to apply before the concerned authority for implementing ROPA 1998 in his favour.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)