

02. 06.09.2022
Bd. Ct.15

W.P.A. 26289 of 2018

Malati Banerjee

-vs-

State of West Bengal & Ors.

Mr. Sibnath Bhattacharya

....for the petitioner.

The writ petition is taken up for consideration in presence of the learned advocate representing the petitioner. However State respondents are not represented today.

The grievance of the petitioner is release of retiral dues after the death of husband of the petitioner in harness who was working as Group-D staff in a Government aided recognised high school.

According to the petitioner, Rs. 3,99,425/- was paid to her towards arrear dues for the period from 15th January, 1995 till the month of December 2015 but she is entitled to receive Rs. 7,17,411/-.

It has been submitted by the learned advocate representing the petitioner that had there been proper calculation of arrear dues payable to the petitioner in that event she would have been benefitted upon release of higher amount pursuant to the pension payment order issued under Memo dated 26th June, 2015.

This Court has heard the learned advocate representing the petitioner and finds that a demand

of justice has been made on 9th July, 2018 addressed to the Director of Pension Provident Fund and Group Insurance, Kolkata, being the respondent no. 7 seeking relief as enumerated above.

In view of the claim of the petitioner for release for higher amount towards arrear dues this Court grants leave to her to make a composite representation to the Director of Pension Provident Fund and Group Insurance, Kolkata, within a period of thirty days from date indicating her grievance and the basis of such claim. If such representation is made within the aforesaid period the Director of Pension Provident Fund and Group Insurance, Kolkata, is directed to consider the same after granting opportunity of hearing to the petitioner or her representative and pass a reasoned order within a period of twelve weeks from the date of receipt of such representation. The decision to be taken by the Director of Pension Provident Fund and Group Insurance, Kolkata, being the respondent no. 7 shall be communicated to the petitioner within one week thereafter.

With the above direction the writ petition stands disposed of. However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)

