

Item-13. 18-07-2023

MAT 320 of 2022
CAN 2 of 2022

sg Ct. 8

Sk. Afsar Ali
Versus
The State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharyya, Sr. Adv.
Mr. Raju Bhattacharyya, Adv.
Mr. Arunava Maiti, Adv.
Mr. T. Mondal, Adv.

...for the petitioner

Mr. Tanmoy Mukherjee, Adv.
Mr. Arindam Chandra, Adv.
Mr. Atish Ghosh, Adv.
Ms. Antara Dey, Adv.

... for the respondent nos.5&8

Mr. Raja Ram Banerjee, Adv.

...for the State

After hearing the learned Counsel for the parties, we direct the Provident Fund Authorities and Pension Disbursing Authorities to treat the age of the appellant as declared at the time of joining the school for the purpose of pension and provident fund.

We also direct the School Authorities to communicate this order to the Provident Fund Authorities and Pension Disbursing Authorities along with all documents within one week from date.

The Pension Disbursing Authority shall disburse the arrear pension along with the current to the designated bank account of the appellant. Similarly, the Provident Fund Authority shall remit the provident fund dues to the designated bank account of the appellant.

The School Authority, while forwarding this order to the authorities concerned, shall also communicate details of the bank account in which such retiral benefits are required to be remitted.

We make it clear that for the purpose of disbursement of

the pension and provident fund dues, the said authorities shall rely on the date of birth as recorded in the original service records i.e. 2nd February, 1960.

We also record that overtime salary and gratuity have already been disbursed to the appellant.

With the aforesaid direction, the appeal and the connected application are disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Uday Kumar, J.)

(Soumen Sen, J.)