

28. 11. 2023

BP
Sl. 21
Court No. 17

WPA 6434 of 2023

Ramendra Nath Naskar
Vs.
The State of West Bengal & Ors.

Mr. Anjan Bhattacharya
Ms. Anita Shaw
..for the petitioner

Mr. Ranjan Saha
..for DPSC, South 24 Parganas

The petitioner has a shortfall of nearly one year as to his qualifying service as a teacher in a primary school. He joined the school on 26.02.2010 and retired from another school after transfer on 28.02.2019. Ordinarily the petitioner is not entitled to get pension for shortfall in qualifying service. However, there is a provision in the DCRB Rules for consideration of the shortfall period upto six months by the Government.

However, considering the facts and circumstances of the matter, where the petitioner filled up the call letter issued by the District Primary School Council, South 24 Parganas on 28.12.2006 and the examination was held after three years on 20.12.2009 against which appointment letter was given on 16.02.2010, I direct the Principal Secretary, School Education Department to consider the case of the petitioner in respect of his qualifying service for

pension. Such consideration is required to be made by three months from the date of communication of this order after giving an opportunity of hearing to the petitioner.

The list of dates filed by the petitioner in compliance with the direction given by this court is kept on record.

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

(Abhijit Gangopadhyay, J.)

