

09.02.2023
Item No.06
Court No.18
AJ.

W.P.A. 7251 of 2021
Sri Lakshman Chandra Jana
-Vs-
The State of West Bengal & Ors.

Mr. Tara Prasad Haldar.
.....for the petitioner.

Mr. Pinaki Dhole,
Sk. Md. Masud.
.....for the State.

Mr. Saibal Acharyya,
Mr. Pradip Paul.
.....for the respondent no.8.

The petitioner is a retired teacher of a secondary school. He retired from his said service on superannuation on June 30, 2006.

The petitioner is praying release of his provident fund amount alleging that same has not yet been disbursed.

The school authority on February 06, 2023 brought the acquaintance roll of the petitioner on record wherefrom it appeared that the petitioner on July 10, 2007 had received the entire amount of his provident fund by putting his signature on the said document.

The matter was adjourned inviting Mr. Haldar, learned Advocate for the petitioner to get instruction from his client on the said document.

Mr. Haldar submits that the school authority is right that the petitioner has withdrawn his provident fund amount but failed

to give such instruction to him earlier as he is a patient of Alzheimer, he prays leave to withdraw the instant writ petition.

W.P.A. 7251 of 2021 is dismissed with a costs of **Rs.10,000/-** such costs be paid by the petitioners in favour of the High Court Legal Services Committee, Calcutta within two weeks from date.

Since no affidavit has been invited, the allegations made in the instant writ petition are deemed to have been denied by the respondents.

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

(Biswajit Basu, J.)