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Ct. 18  
04.07.2023

**W.P.A. 10491 of 2023**

**Hafizur Rahaman**  
**Vs.**  
**The State of West Bengal & Ors.**

Mr. Rezaul Hossain,  
Mr. Parvez Hossain ... For the petitioner.

Mr. Supriyo Chattopadhyay, AGP,  
Mr. Pinaki Bhattacharyya ... For the State.

The petitioner was the Headmaster of Daulatpur High School (H.S.), District – Dakshin Dinajpur, on superannuation, he has retired from his said service on July 31, 2022.

The petitioner complains that except provident fund, he has not received other retiral benefits, he is praying disbursement of the same.

It appears from the record that the Director, Pension Provident Fund and Group Insurance, Uttarkanya, the respondent no. 6 herein, has raised objection to the said prayer of the petitioner on some points, one of such is, how the petitioner enjoyed the Post graduate Scale of pay as he obtained his Masters Degree without permission from the concerned authority and pursued the course without taking leave from his duty.

The District Inspector of Schools (S.E.), Dakshin Dinajpur, the respondent no. 3 herein, under his Memo bearing no. 312/DI/S(SE)/DD dated February

28, 2023 has sent the said objections to the Commissioner of School Education, Government of West Bengal, the respondent no. 2 herein for instruction.

Mr. Chattopadhyay, learned Additional Government Pleader, submits that the said matter is under consideration of the respondent no. 2, as such the said respondent may be directed to dispose it of.

The respondent no.2, therefore, after giving an opportunity of hearing to the petitioner and/or any other interested authority, is directed to dispose it of in accordance with law within a period of six weeks from the date of communication of this order.

In the event it is found that the petitioner is entitled to such Post Graduate Scale of pay and that there is no other legal impediment, the authorities shall take steps for disbursement of the unpaid retiral benefits of the petitioner.

W.P.A. 10491 of 2023 is thus disposed of with the above terms without any order as to costs.

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

(Biswajit Basu, J.)