

12.07.2023

(D/L-10)

Ct.-18

(**Susanta**)

W.P.A. 11484 of 2023

Jayanta Deb Maiti

-Vs-

The State of West Bengal & Ors.

Mr. Sourav Mitra,

.... For the Petitioner.

Mr. Pantu Deb Roy,

Mr. Pannalal Bandyopadhyay,

.... For the State.

Mr. Sourav Mitra, learned advocate for the petitioner files exception to the report of the District Inspector of Schools (S.E.) Bankura, the respondent no. 4 herein let it be kept with the record.

The petitioner was an approved Assistant Teacher of Bheduasole High Schools, District- Bankura, on superannuation he retired from his said service on November 30, 2021.

The petitioner is complaining delay in disbursement of his pension and other retiral benefits.

It appears from the record that the school authority on August 10, 2021 has answered the objections of the respondent no.2 with regard to the pension papers of the petitioner but pendency of the dispute with regard to the admissible pay scale of the petitioner is delaying the disbursement of the said benefits to the petitioner.

The records speaks that the respondent no.4 vide Memo No. 2660/S dated November 20, 1995 had approved the Honours Scale of pay to the petitioner w.e.f. November 23, 1993.

The petitioner since had received the salary at the said scale of pay prior to the aforesaid date of approval for the period from January 01, 1988 to October 31, 1995 he has refunded a sum of **Rs. 44,700.00 (Rupees forty four thousand seven hundred)** to the authority.

The entitlement of the petitioner to have a Honours Scale of pay is not in dispute, as such, there cannot be any impediment for disbursement of her pension and other retiral benefits.

The respondent no. 4 therefore is directed to send the complete pension papers of the petitioner to the Director of Pension, Provident Fund & Group Insurance, Government of West Bengal, the respondent no. 6 herein within a week from the date of communication of this order.

The respondent no. 6 on receipt of such paper shall take immediate steps to issue the pension payment order in favour of the petitioner.

W.P.A. 11484 of 2023 is 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 subject to compliance with all requisite formalities.

(Biswajit Basu, J.)