

17.01.2024
SI No.1
Court No.8
(gc)

**CPAN 746 of 2018
CAN 2 of 2023**

**Nakul Chandra Sahu
Vs.
P.A. Siddiqui & Ors.**

**In
FMA 1345 of 2014**

Mr. Uttam Kumar Bhattacharya,
Mr. Subir Sabud,
... for the Petitioner.
Mr. Bhaskar Prasad Vaisya, A.G.P.,
Mr. Suman Dey
... for the Alleged Contemnor
Nos.1 & 2.

1. The affidavit filed by the Officer on Special Duty, Director of Pension Provident Fund and Group Insurance, West Bengal is considered.
2. The alleged contemnor in the affidavit has demonstrated that in issuing the Pension Payment Order, the pay of the petitioner was considered at Rs.272/- as on 27th March, 1973 and subsequent revisions as admissible. We have considered Annexure-R/1 where the detailed calculation has been given.
3. The learned Counsel for the petitioner submits that the increment admissible to the petitioner has been left out. However, in the event the petitioner has any

grievance with regard to the denial of such incremental benefits, he may be permitted to take appropriate steps in accordance with law. However, we record that that alleged contemnor has given an explanation at page 5 of the affidavit in which it is stated as per fixation it is transpired that the last basic pay of the incumbent was Rs.9175/- and Pension Payment Order was issued accordingly after taking into consideration the relevant rule.

4. With the aforesaid observation, the contempt application is disposed of.
5. In view of disposal of the contempt application, the connected application also stands disposed of.
6. However, there shall be no order as to costs.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)