

11.12.2023  
Court No.13  
Item No.245  
ap

**W.P.A. No. 22037 of 2023**

**Sova Das  
Vs.  
The State of West Bengal and Ors.**

Mr. Tulsi Das Maiti  
Ms. Namita Basu,  
Mr. Pradip Kumar Ghosh.

... For the petitioner.

Mr. Avirup Mondal,  
Mr. Saikat Sen.

....For the State.

Affidavit of service filed in Court today be kept  
with the record.

The petitioner's husband Late Chittaranjan Das  
was a Primary Teacher. He retired from service on  
31.12.2005.

The petitioner's husband died on 15.06.2010  
without being able to exercise option for conversion  
from CPF to GPF. The petitioner has made a  
representation before the Secretary, Department of  
School Education, Government of West Bengal and the  
Director of Pension and Provident Fund and Group  
Insurance, Government of West Bengal allegedly on  
15.06.2016.

The representation of the petitioner has not  
been considered. There is some doubt as to whether  
the representation has, in fact, been sent to the  
respondents or not.

Be that as it may, the petitioner has placed reliance on a decision of a Co-ordinate Bench, inter alia, in the case of ***Putul Mondal Vs. State of West Bengal and Ors.*** in ***WP No.614(W) of 2016*** and the orders passed thereunder by the Director, Pension Provident Fund and Group Insurance, Government of West Bengal. The petitioner claims to be similarly situated as the said Putul Mondal.

In those circumstances, the respondent No.4, the Director, Pension Provident Fund and Group Insurance shall consider the petitioner's representation and dispose of the same in accordance with law within a period of four months from the date of communication of a copy of this order.

The Director, Pension Provident Fund and Group Insurance shall be entitled to call for all records from the office of the concerned District Inspector of Schools or from the school.

The petitioner and/or her legal representative may be heard by the Director, Pension Provident Fund and Group Insurance, if necessary.

It is made absolutely clear that the Director, Pension Provident Fund and Group Insurance shall consider the case strictly on its merit and the law after verifying all records.

With the aforesaid directions, the writ petition shall stand disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Rajasekhar Mantha, J.)**