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07.08.2023  
Ct. No.2  
b.das

**IN THE HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri  
Constitutional Writ Jurisdiction**

**WPA No. 1543 of 2023**

Ram Chandra Sah  
Vs.  
The State of W.B. & Ors.

Mr. Soumajyoti Dutta  
Mr. Gopal Sah ...for the petitioner.

Mr. Hirak Barman  
Mr. Momenur Rahman ...for the State.

Affidavit of service filed by the petitioner is taken on record.

None appears for the respondent nos.2 and 7 despite service.

The grievance of the petitioner is that though he superannuated on 31<sup>st</sup> December, 2021 pension payment order has not been issued in his favour till date.

The petitioner was initially appointed as a night guard at Sishuniketan Junior Basic school, Sadar East Circle, Jalpaiguri on 1<sup>st</sup> January, 1980 and was transferred to the office of the Sub-Inspector of Schools, Sadar East Circle as a Group-D staff and then to Marwari Balika Vidyalaya, Dinbazar, Jalpaiguri.

The petitioner submitted a representation on 14<sup>th</sup> April, 2023 before the respondents seeking issuance of pension payment order and disbursement of pension and other retirement benefits, which has not been considered till date. The petitioner prays for a direction upon the respondents to consider the representation at the earliest.

Learned counsel for the State respondents submits, on instructions, that the service of the petitioner was approved by the Secretary, Ad hoc Committee, DPSC, Jalpaiguri on 2<sup>nd</sup> February, 1995 and his pension file was forwarded to DDA, Jalpaiguri on 16<sup>th</sup> December, 2021, who returned the same upon raising objection to the effect that approval of the School Education Department was required. The matter is pending approval before the Commissioner of School Education, West Bengal, being the 2<sup>nd</sup> respondent herein.

In view of the above, the writ petition is disposed of directing the 2<sup>nd</sup> respondent to accord necessary approval in favour of the petitioner and communicate the same to the District Inspector of Schools, Primary Education, being the 8<sup>th</sup> respondent herein, within three weeks from the date of communication of this order. Upon receipt of such approval, the 8<sup>th</sup> respondent is directed to

communicate such approval to the 6<sup>th</sup> respondent within one week. The 6<sup>th</sup> respondent, in turn, is directed to issue pension payment order and take necessary steps for disbursal of retirement benefits in favour of the petitioner within three weeks from the date of receipt thereof, in accordance with law.

With the above observations and directions the writ petition is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

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

**(Suvra Ghosh, J.)**