

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

31 30.8.2023
Sc Ct. no. 2

WPA 2004 OF 2023

Smt. Dali Sengupta

Vs.

The Sub-Inspector of Schools
Sadar East Circle, Jalpaiguri
& Ors.

Mr. Raunak Paul

....For the Petitioner

Mr. Momenur Rahman

....For the State

Affidavit-of-service, filed in Court today, is taken on record.

The ***petitioner claimed to have worked as an Assistant Teacher.*** The petitioner ***retired on June 30, 2022.*** The petitioner claimed that, the necessary ***Pension Payment Order (PPO) has not yet been issued in favour of the petitioner*** as a result the entire retiral benefits are stuck at the office of the relevant State authority.

Mr. Raunak Paul, learned advocate appearing for the petitioner submits that, since the petitioner has retired for a substantial period, is suffering from severe financial crisis without having her retiral benefits which she claims as of right.

Mr. Momenur Rahman, learned advocate appears for the respondents. On instruction he submits that, the respondent no.3 has already forwarded the relevant records at the office of the respondent no.9 and issue is pending thereat for granting approval.

Considering the submissions made on behalf of the parties and considering the materials-on-record, this Court is of the firm view that, the respondent no.9 shall accord the necessary approval in favour of the petitioner and send the same to the respondent no.3 forthwith.

The entire exercise must and shall be carried out by the respondent no.9 **positively** within a period of **two weeks** from the date of communication of this order.

Upon receipt of such approval from the respondent no.9 the respondent no.3 must and shall issue the relevant **PPO** in favour of the petitioner **positively** within a period of **one week** from the date of receiving such approval from the respondent no.9.

While issuing the said **PPO** the respondent no.3 shall also take steps and all consequential steps to release the arrear amount payable to the petitioner since the date of his retirement, i.e.,

June 30, 2022 together with interest @**10% per annum** payable to the petitioner and shall send the **PPO** and the **necessary instruction with the calculation of arrear with interest**, as directed above, before the respondent no.5 **positively** within the said period of **one week**, as directed above, from the date of receiving approval from the respondent no.9.

The respondent no.5 then shall **disburse the entire amount along with the arrear with interest** as directed above **and** the **amount** under the **PPO** for **pension** in favour of the petitioner **positively** within a period of **two weeks** from the date of receiving the **PPO** and the instruction on account of the arrear with interest, as directed above, from the respondent no.3.

The respondent no.5 then shall go on paying the petitioner her pension **without any interruption** henceforth.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

On the above terms the writ petition, **WPA 2004 of 2023** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)