

442 01.08.2024
ML Ct.18
KC

W.P.A. 4338 of 2023

Anil Chandra Mahata

-vs-

The State of West Bengal & Ors.

Mr. Hafizur Rahaman

....for the petitioner.

Mr. Manas Kundu,
Mr. Debabrata Mondal

....for the State.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

By presenting this writ petition, petitioner
has prayed for consolidation of pension in view of
petitioner's superannuation on 30th June, 2016.

The learned advocate representing the
petitioner submits that initially petitioner was
appointed on 15th March, 1982 in the school and
subsequently the said school was recognized by the
West Bengal Board of Secondary Education and
due to recognition of the said school, service of the
petitioner was regularized with effect from 1st May,
2000. Petitioner discharged duty as Assistant
Teacher from 1st May, 2000 till 30th June, 2016
being the date of superannuation. After
superannuation of the petitioner, on issuance of
pension payment order vide memo dated 18th May,

2016 retiral dues were released in favour of the petitioner and presently petitioner is in receipt of pension.

State respondents are represented by learned advocate who submits that on processing the pension case of the petitioner due to his superannuation on 30th June, 2016 retiral dues including pension were released. Therefore, there is no scope left to consolidate the pension of the petitioner further unless and until there is existence of specific provisions which make the petitioner entitled to get the benefit of consolidation of pension.

Having considered the submissions made on behalf of the parties and taking note of the facts involved in this writ petition, it appears that petitioner on his superannuation had duly been paid retiral dues and pension on issuing pension payment order vide memo dated 18th May, 2016. Therefore, the prayer which has been made on behalf of the petitioner for consolidation of pension cannot be countenanced in absence of specific provisions in this regard.

Accordingly, the writ petition stands dismissed.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)