

12.06.2024
Sl. No.18
gd/ssd

WPA/6168/2024
SMT. DIPIKA DUTTA (MANDAL)
VS
STATE OF WEST BENGAL AND ORS.

Mr. Dwijadas Pattanayak
... for the petitioner.

Mr. Ansar Mandal,
Mr. Asish Dutta
... for the State.

Mr. Bhaskar Prasad Vaisya,
Mr. Gourav Das,
Mr. Nilay Baran Mandal
... for the Council.

The affidavit-of-service filed by the learned Advocate for the petitioner in Court today be kept with the record.

The petitioner retired as an Assistant Teacher under the Kolkata DPSC after transfer from the South 24-Parganas DPSC. On **31.01.2011** she is receiving pension.

The petitioner has not been paid arrears of provident fund, including the benefits of ROPA-2009 and subsequent ROPA till date.

Counsel for the DPSC, Kolkata submits that repeated requests had been made to the DPSC, South 24-Parganas to forward the calculation of PF of the petitioner to them which has not been done.

This court notes with anguish that despite transfer of the petitioner in accordance with law from South 24-

Parganas to Kolkata and despite her service book and PF money having been transferred, the Kolkata DPSC has failed to pay the provident fund of the petitioner's contribution to provident fund despite lapse of 13 years.

In those circumstances, this court directs the DPSC, Kolkata to pay the petitioner's share of provident fund within a period of one month from date together with interest at the rate of 9% per annum from the date of retirement till the date of actual payment.

In the event payment is not made within the time stipulated above, the rate of interest shall claim to 11% per annum.

Accordingly, the writ petition stands disposed of.

There will be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)