

12.06.2024
Sl. No.23
gd/ssd

WPA/9087/2024
SATYENDRA NATH BANDYOPADHYAY
VS
STATE OF WEST BENGAL AND ORS.

Mr. Chhandak Dutta
... for the petitioner.

Mr. Dipanjan Datta,
Mr. Abhishek Banerjee
... for the State.

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

The writ petitioner joined service of the DPSC, Howrah as an Assistant Teacher on 24th April, 2010. He retired from service on 30th September, 2019 as Assistant Teacher under the DPSC, Howrah.

There is a fall short of six months and 23 days in the qualifying the period of tenures of service for pension.

The DCRB Rules permit the State to condone the shortfall upto six months in qualifying service of pension since the petitioner exceeds the six months only by 23 days, this court in exercise of jurisdiction of Article 226 of the Constitution of India is inclined to condone the shortfall of six months 23 days in his qualifying service.

The DI of Schools, Howrah is directed to calculate the last drawn pay of the petitioner and forward the particulars of service to the DPPG, West Bengal within a period of one month from the date of receipt of the copy of this order along with copy of the writ petition.

The DPPG, West Bengal shall thereafter issue PPO to the petitioner and also pay any arrears of pension to the petitioner without any interest within a period of two months thereafter.

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.)