

01-05-2024  
ct no. 13  
Sl. 87  
pk

**WPA 11702 of 2024**

Bharati Hazra  
**-Versus-**  
State of West Bengal and others

Mrs. Sabita Khutia,  
Mr. Krishna Pada Santra  
..for the petitioner.

Mr. Biplab Guha,  
Ms. Indu Mouli Banerjee  
... for the State.

1. The petitioner's husband Sanjay Kumar Hazra expired on 23<sup>rd</sup> June, 1989. The petitioner has filed an application for pension on 28.03.2024.
2. Having regard to the several decisions of this Court, inter alia, in the case of **FMA 620 of 2018** (State of West Bengal and others Vs. Sefali Jana and others), **FMA 864 of 2022** (Pramila Behra Vs. the State of West Bengal and others), **MAT 2066 of 2014** (Renuka Khatua Vs. State of West Bengal and others), **MAT 1559 of 2016** (The State of West Bengal and others Vs. Bithika Bagchi (Gupta) and **RVW 68 of 2016** (The State of West Bengal and others Vs. Smt. Jharna Bhattacharya and others), this Court is of the view that the petitioner is entitled to pension upon making refund of the employer's share of contribution

(CPF) along with interest and additional interest.

3. The concerned D.I. of Schools (PE) shall indicate to the petitioner quantum of amount to be refunded along with interest and further interest.
4. Upon refund the petitioner shall be entitled to issuance of PPO. Pension shall be payable to the petitioner from the next date of death of her husband.
5. Arrears of pension till date shall, however, not carry any interest since the petitioner expresses desire to make the refund only March, 2024.
6. The concerned D.I. of Schools (PE) shall communicate to the petitioner within a period of three weeks from the date of receipt of a copy of this order i.e. quantum of money to be refunded. The petitioner shall thereafter refund within two weeks thereafter.
7. The DPPG, West Bengal shall thereafter issue PPO to the petitioner within four weeks thereafter. Let the pension be released to the petitioner immediately upon issuance of PPO. Let all arrears of family pension from the next date of death of the petitioner's husband be

paid to the petitioner within two months of the date of issuance of PPO without interest.

8. The concerned Treasury Officer shall verify as to whether the petitioner is present in person along with the documents of identity before making any disbursement as directed hereinabove. In the event the petitioner is not present, the matter shall be reported to the Registrar General of this Court for appropriate action.
9. Instructions of the State is kept with the record.
10. The writ petition is disposed of.
11. There will be no order as to costs.
12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

**(Rajasekhar Mantha, J.)**