

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

03.06.2024
Item No.17
Ct. No.5
CHC/S. De
(disposed of)
Vacation Bench

W.P.A. 15094 of 2024

**Manas Kumar Pati
...
Vs.
The State of West Bengal & ors.**

Mr. Sakti Pada Jana
...for the petitioner

Mrs. Rupsha Chakraborty,
Kazi Sajjad Alam
...for the State respondents

Affidavit-of-service is taken on record.

The writ petitioner is a retired Headmaster of Barisha Purba Para High School (H.S.). He attained his normal age of superannuation on 31st May, 2024. He yet to receive is terminal benefits.

The District Inspector of Schools (Secondary Education) Kolkata vide communicating memo dated 14th May, 2024 directed the petitioner to forward the original old service book or the order for allowing reconstructing the service book issued by the appropriate authority and to submit the release order dated 31st of October, 2011 issued by the Secretary of the erstwhile school where the petitioner was serving.

The petitioner has annexed to the writ petition copy of the release order dated 31st of October, 2011 which has been directed to be submitted by the petitioner.

As the original service book of the petitioner was not readily available, the service book of the petitioner was duly reconstructed and the same has been countersigned by the then District Inspector of Schools and the same has been annexed to the writ petition.

As the documents sought for by the District Inspector of Schools (Secondary Education) is already annexed to the writ petition, accordingly, the District Inspector of Schools is directed to proceed processing the file of the petitioner for disbursal of his terminal dues.

It has been categorically submitted that the original of the reconstructed service book and the original release order dated 31st October, 2011 is already lying in the records of the District Inspector of Schools (Secondary Education), Kolkata. The service of the petitioner stood approved relying upon the release order dated 31st October, 2011.

The D.I. ought to have acted on the basis of the original records available in the file of the petitioner maintained in the office of the D.I. of Schools (SE).

The District Inspector of Schools, SE, Kolkata is, accordingly, directed to forward the original documents of the petitioner to the Director of Pension, Provident Fund and Group Insurance, the respondent no.4 herein at the earliest but positively within a fortnight from the date of communication of this order.

The respondent no.4 shall act accordingly and ensure that the Pension Payment Order of the petitioner is prepared at the earliest but positively within a period of ninety days from the date of receipt of all documents from the District Inspector of Schools (Secondary Education), Kolkata.

The writ petition being WPA 15094 of 2024 stands disposed of.

Parties are directed to act on the basis of the server copy of this order duly downloaded from the official website of this Court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties expeditiously after compliance of all necessary formalities.

(Amrita Sinha, J.)