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19.08.2024  
d.p.

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

**W.P.A 16646 of 2024**

**Biswajit Pal  
-versus  
The State of West Bengal & Ors.**

**Mr. Debabrata Roy,  
Mr. Monojit Pal.  
...For the Petitioner.**

**Mr. Sumon Dey,  
Ms. Priyanka Jana.  
...For the State.**

**Mr. Samiran Giri.  
...For DPSC Purba Medinipur.**

**Mr. Ranjan Saha.  
...For DPSC Paschim Medinipur.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner was a primary school teacher of the undivided district of Medinipur. After bifurcation of the district of Medinipur, the petitioner opted to join in a school within the jurisdiction of the Purba Medinipur, DPSC.

He alleges that his provident fund dues which was held in the office of the Paschim Medinipur, DPSC was not transmitted to the Purba Medinipur, DPSC for which the petitioner has not been paid the interest for the said amount. Proper calculation for deduction of provident fund has also not been done by the Purba Medinipur, DPSC.

A legal representation on behalf of the petitioner was filed before the Chairman of the Purba Medinipur, DPSC in July 2022. The same has not been responded to till date.

Learned advocate appearing on behalf of the Purba Medinipur, DPSC has obtained instruction from its Chairman signed on 14<sup>th</sup> August, 2024 which mentions that the calculation sheet of the petitioner with regard to his dues was under Paschim Medinipur, DPSC. The amount on account of ROPA 1998 was sent to the office of Purba Medinipur, DPSC from the Paschim Medinipur, DPSC only on 13<sup>th</sup> April, 2009 amounting to Rs.26,596/- (principal with interest upto November 2002) and the GPF balance is Rs.9,375/- (principal with interest upto November 2002). The Purba Medinipur office is unable to pay interest on GPF and ROPA 1998 from December 2002 till April 2009 and onwards. This is so because the calculation sheet has not yet been received from the Paschim Medinipur office.

From the submissions made on behalf of both the parties and on perusal of the instruction forwarded by the Chairman, Purba Medinipur, DPSC, it appears that even though the petitioner joined under the Purba Medinipur, DPSC on 29<sup>th</sup> October, 2001 but the records of the petitioner and the calculation sheet of payment is yet to be transmitted to the Purba Medinipur, DPSC.

Without the calculation sheet it will not be possible for the Purba Medinipur, DPSC to make assessment and thereafter release payment in favour of the petitioner.

In view of the above, the instant writ petition is disposed of by directing the Chairman, Purba Medinipur, DPSC to collect relevant data from the office

of Paschim Medinipur, DPSC including the payment sheet. The Purba Medinipur, DPSC shall thereafter make necessary calculation with regard to the provident fund dues including interest of the petitioner and take necessary consequential steps. The steps taken by the Council shall be intimated to the petitioner.

The Chairman, Purba Medinipur, DPSC shall act in terms of the direction passed hereinabove at the earliest but positively within a period of twelve weeks from the date of communication of this order.

The Chairman, Paschim Medinipur, DPSC is directed to immediately transmit all records of the petitioner including the calculation sheet to the Chairman, Purba Medinipur, DPSC immediately on receipt of a copy of this order.

Leave is granted to the learned advocate-on-record of the petitioner to communicate this order to the Purba Medinipur, DPSC and Paschim Medinipur, DPSC for compliance of the order passed hereinabove.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

**( Amrita Sinha, J.)**