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W.P.A. 20313 of 2024

Girindra Nath Das

-vs-

The State of West Bengal & Ors.

Mr. Sakti Pada Jana,  
Ms. Sudipta Pramanik

....for the petitioner.

Mr. Rajbhusan

....for the respondent nos.7 & 8.

Mr. Suman Dey,  
Mr. Tapan Kumar Jana

....for the State.

Pursuant to the order dated 9<sup>th</sup> September, 2024 writ petition is taken up for consideration when the learned advocates representing the parties have jointly submitted that provident fund has been released in favour of the petitioner.

However, the learned advocate representing the petitioner submits that petitioner is entitled to receive interest on provident fund.

If petitioner is dissatisfied with regard to payment of interest on provident fund leave is granted to the petitioner to make representation before the concerned respondent authorities seeking payment of interest on provident fund within fortnight after ensuing Puja vacation.

If such representation is made within the aforesaid time, the District Inspector of Schools

(SE), Nadia being respondent no.3 shall take decision on the representation of the petitioner within six weeks thereafter.

The decision to be taken by the respondent no.3 shall be communicated to the petitioner by one week thereafter.

By presenting this writ petition petitioner being the Headmaster of a Government aided Higher Secondary School has prayed for release of retiral dues since petitioner retired on superannuation on 31<sup>st</sup> January, 2024.

A communication dated 16<sup>th</sup> August, 2024 has been made by the respondent no.3 addressed to the learned advocate for the State respondents which is taken on record.

From the said communication dated 16<sup>th</sup> August, 2024, it appears that pension papers were submitted before the respondent no.3 on 9<sup>th</sup> January, 2024 which is three weeks prior to date of superannuation as a result whereof within time pensionary benefits could not be settled in favour of the petitioner.

However, notice of this Court has been drawn to page 62 of the writ petition wherefrom it appears that the leave statement of the petitioner in connection of his tenure in Hogalberia Adarsha

Siksha Niketan needs to be reflected from the service book and the same is required to be authenticated by the President of the Managing Committee of the aforesaid school. However, at present Managing Committee is not functioning and in place of Managing Committee, Administrator has been appointed.

Therefore, the Administrator of Hogalberia Adarsha Siksha Niketan being respondent no.7 is directed to authenticate the leave statement of the petitioner in connection with petitioner's service in the aforesaid school upon compliance of necessary formalities by 14<sup>th</sup> November, 2024.

On complying with the requirement as intimated against serial no.7 of a document at page 62 of the writ petition the pension papers shall be forwarded to the respondent no.3 for finalization by 14<sup>th</sup> November, 2024.

After settling the pension case the respondent no.3 is directed to forward the pension papers of the petitioner to the Director of Pension, Provident Fund and Group Insurance being respondent no.4 by fortnight from the date of receiving pension papers and respondent no.4 shall issue pension payment order by fortnight thereafter.

Petitioner shall be paid pensionary benefits by 31<sup>st</sup> December, 2024.

With the aforesaid directions and observations, the writ petition stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

**(Saugata Bhattacharyya, J.)**