

10.06.2024.
Court No. 13
Item No. 18
ap

W.P.A. No. 20936 of 2023

**Sailabala Sinha
Versus
The State of West Bengal & Ors.**

Mr. Ujjal Ray,
Sk. Abdur Rahim.

...For the petitioner.

Mr. Bhakti Prasad Das.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner's husband was getting pension after the date of refund of the employee's share of CPF, pursuant to the option exercised for conversion from CPF to GPF. The petitioner claims that her husband is entitled to pension from the day after the date of superannuation.
3. This Court has settled the aforesaid proposition of law in several decisions. The instructions of the State also indicates the same and refers to a Notification in this regard.
4. In those circumstances, it is directed that the pension of the petitioner's husband shall be payable from the date of retirement i.e. on 31st January, 1999 instead of 26th March, 2015.
5. Let arrears of pension payable to the petitioner's deceased husband from 1st February, 1999 till March, 2015 be paid to the petitioner, together with interest at

the rate of 7% per annum within a period of two months from date. In default of payment being made within the period stipulated above, the rate of interest shall stand increased to 9% per annum.

6. Instructions of the Commissioner of School Education, West Bengal filed in Court today be also taken on record.

7. With the aforesaid directions, the instant writ petition shall stand disposed of.

8. There will be no order as to costs.

9. 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.)