

12.11.2024
Court No. 18
Item No. 21
(Suvendu)

WPA 25699 of 2024

Rathunath Sardar
-Versus-

The State of West Bengal & Ors.

Mr. Kumaresh Dalal
.....for the petitioner

Ms. Smita Das De
.....for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Grievance of the petitioner is failure on the part of the concerned respondent authorities to settle retiral dues in view of petitioner's superannuation from the post of Assistant Teacher with effect from 29th February, 2024. During course of hearing, learned advocate representing the petitioner submits that hearing was conducted by the District Inspector of Schools (SE), Bankura being respondent no. 3 on 12th December, 2023 but till date no order has been communicated to the petitioner. Petitioner prays for early settlement of retiral dues on issuance of Pension Payment Order in view of his retirement on 29th February, 2024.

Learned advocate representing the State respondents submits on instruction that though hearing was held by the respondent no. 3 on 12th December, 2023 but no formal order was passed by the State respondents. It is submitted that respondent no. 3 has forwarded the issue to Joint Director of Accounts for due consideration in order to settle retiral dues of the petitioner. Learned advocate representing State respondents, during course of hearing, has also attempted to satisfy this Court that due to failure on the part of the school authority of Mejia High School (HS), Bankura pension case of the petitioner could not be settled. However, it is submitted that if direction is given upon State respondents relating to release of retiral dues steps shall be taken in accordance with law.

Having considered respective submissions made on behalf of the parties, it appears that since petitioner retired on 29th February, 2024 his pension case needs to be settled immediately.

The petitioner as well as Headmaster of Mejia High School (HS), Bankura, being respondent no. 5 are directed to appear before the respondent no. 3 on 25th November, 2024 at 12 noon to complete formalities in order to

finalize the pension papers of the petitioner. The respondent no. 3 is directed to finalize the pension case of the petitioner on 25th November, 2024 and forward the same to the Director of Pension, Provident Fund and Group Insurance being respondent no. 6 by seven days thereafter. On receipt of pension papers respondent no. 6 is directed to issue Pension Payment Order in favour of the petitioner by fortnight thereafter. In any event retiral dues including pension shall be released in favour of the petitioner at an early date but not later than 31st December, 2024.

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

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)