

04.01.2024
Item No.12
Court No.18
P.Jana

W.P.A. 26253 of 2023

Madhumita Maity (Dey) & anr.

-Vs-

The State of West Bengal & Ors.

Mr. Sourav Mitra,
Ms. Sreyasree Choudhury,
.....for the petitioners.

Ms. Oindrila Chatterjee, ...for the State.

Affidavit-of-service filed by the learned advocate
for the petitioners be kept with the record.

The father of the petitioners was an approved
Assistant Teacher of a secondary school who retired
from his said service on attaining the age of
superannuation on May 31, 2007 and died on July
04, 2023. The mother of the petitioners also pre-
deceased him.

The father of the petitioner filed a writ petition
being WPA 7289 of 2023 alleging that the Pension
Payment Order was issued in his favour with effect
from the date of refund of the employer's share of
contribution in his provident fund account with
interest and additional interest not from the date
following the date of retirement of the employee
concerned.

The said writ petition was disposed of by the
judgment and order dated June 08, 2023 directing
the authorities to issue revised Pension Payment
Order with effect from the date following the date of
retirement of the employee concerned. Pursuant to
the said direction the revised Pension Payment Order

was issued but unfortunately the concerned employee died before disbursement of the arrear pension in terms of such revised Pension Payment Order. The daughter and the son of the deceased employee have filed the instant writ petition praying release of the said arrear pension in terms of the said revised Pension Payment Order in their favour.

The concerned Treasury Officer is therefore directed to release the arrear pension in accordance with the said revised Pension Payment Order in favour of the petitioners within a period of four weeks from the date of communication of this order.

W.P.A. 26253 of 2023 stands disposed of with the above terms. There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)