

24.07.2024
Ct. No. 14
Sl. No.21
AGM

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

W.P.A. 26215 of 2023

**Subhendu Jotder
Vs.
The State of West Bengal & Ors.**

Mr. Anjan Bhattacharya
... For the petitioner.

Mr. Jahar Datta.
Mr. Ritaban Sarkar.
... For the State.

The petitioner is a retired primary school teacher. He refunded his Contributory Provident Fund amount in terms of the notification published by the Government on 13th June, 2014. Upon repayment of the CPF amount, the petitioner is being paid his pension. The petitioner prays for pension on and from the next date of his retirement.

Whether the employee will be entitled to pension on and from the next date of retirement has already been decided by this Court in the matter of **Sitala Mandal (Chaudhuri) -Vs- State of West Bengal & Ors** being **WPA 964 of 2022** vide judgment dated **8th February, 2022** wherein the Court held that the employee would be entitled to receive the terminal benefits on and from the next date of retirement.

In view of the above, the instant writ petition is disposed of by directing the Director of Pension,

Provident Fund and Group Insurance and the concerned Treasury Officer to take steps to issue revised Pension Payment Order in favour of the petitioner with effect from the date following the date of his superannuation and to release pension in accordance with the revised Pension Payment Order.

Steps shall be taken in the matter at the earliest but positively within a period of eight weeks from the date of communication of this order. Payment shall positively be released immediately upon issuance of the revised Pension Payment Order.

The concerned District Inspector of Schools is directed to take steps for processing and forwarding the documents to the aforesaid authorities.

The writ petition stands **disposed of**.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)