

13-03-2024
ct no. 13
Sl. 53
sp

WPA 26241 of 2023
Sankar Mandal
-Versus-

The State of West Bengal & Ors.

Mr. Sakti Pada Jana,
Mr. Subhajyoti Das

..for the petitioner

Mr. Shamim ul Bari,
Ms. Indrani Nandi

...for the State

1. The petitioner is aggrieved that his pension has been withheld by the respondents, for pendency of criminal proceeding. It is submitted that the Headmaster of the school, who is also implicated in other criminal proceedings, has been given full pension, but the petitioner has been denied the same.
2. The Court has carefully gone through the charge sheet dated September 17, 2021. The petitioner has been charged with defalcation of State funds. The petitioner is named as accused no. 2 in the charge sheet filed under Sections 409/467/468/479/420/120B of the IPC.
3. In that view of the matter, no relief can be granted to the petitioner. The pension

paper of the petitioner cannot be processed until disposal of the criminal proceedings.

4. The petitioner may, however, be considered for payment of provisional pension, if he makes application for the same.
5. With the aforesaid observations, the instant writ petition shall stand disposed of.
6. There shall be no order as to costs.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)