

10.07.2024.
Court No.13
Item No. 11
ap

W.P.A. No. 27288 of 2023

**Galenoor Begum
Versus
The State of West Bengal & Ors.**

Mrs. Sumitra Das.

...For the petitioner.

Mr. Kazi Sajjad Alam.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner's husband has been receiving pension from the date of refund of employer's share of CPF and further interest in terms of a decision of the Special Bench of this Court passed in A.P.O. No. 94 of 2009 on 13th June, 2014 (State of West Bengal & Ors. – Vs. – Abhijit Baidya & Ors.)
3. By a further clarification in the case of Md. Abdul Ghani – Vs. – The State of West Bengal & Ors. passed in APOT 104 of 2006, the Special Bench has stated that the employee who exercised option shall be entitled to pension from the date after the day of retirement.
4. In those circumstances, the petitioner is entitled to arrears pension from 1st March, 2010 till 27th August, 2014 by the Director of Pension, Provident Fund and Group Insurance, West Bengal within a period of two months from date.

5. Since the writ petition has been filed in the year 2023, this Court is not inclined to award any interest on the arrears.

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

7. There will be no order as to costs.

8. 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.)