

S/L 23
05.02.2025
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 2174 of 2025

Purnima Shit

Vs.

The State of West Bengal & Ors.

Mr. Saurav Mitra
Ms. Sreyasree Choudhury

...for the Petitioner.

Affidavit of service filed on behalf of the petitioner
be kept with the record.

None appears on behalf of the State in spite of
service.

The husband of the petitioner was an approved
non-teaching staff (Group-D) of a Secondary School, who
retired on April 30, 2003 and died on April 8, 2007, i.e.
prior to the Notification dated June 13, 2014 came into
effect as such, could not exercise the option to switch over
from CPF to GPF Scheme.

The issue whether the petitioner being the widow
of such a teacher is entitled to arrear pension of her
deceased husband and family pension upon refund of the
contribution of the Government in the Provident Fund
account of the concerned teacher with interest and
additional interest thereon, in view of the decisions of the
Hon'ble Division Bench of this Court passed in **FMA 864
of 2022 (Pramila Behara vs. The State of West
Bengal & Ors.)** and in **FMA 620 of 2018 (State of
West Bengal & Ors. vs. Sefali Jana & Ors.)**, is no
longer *res integra*.

The District Inspector of Schools (S.E.), Purba
Medinipur, the respondent no. 4 herein is therefore
directed to calculate the amount required to be refunded
by the petitioner to get the benefit of pension and upon

deposit of the said amount, the said respondent, being the pension sanctioning authority shall verify the pension papers of the petitioner and shall send the same to the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal, the respondent no.3 herein for further steps to be taken in accordance with law for issuance of the Pension Payment Order in favour of the petitioner.

The respondent nos. 4 & 3 shall complete their respective drills in this regard as expeditiously as possible.

WPA 2174 of 2025 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

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.)