

18. 25.11.2025
Court No.03.
(Pritam)

WPA 3896 of 2025.

Swapan Kumar Khasnabis.

-Vs.-

The State of West Bengal & Ors.

Mr. Uday Sankar Chattopadhyay,
Ms. Trisha Rakshit,
Ms. Bidisha Chakraborty.

....for the petitioner.

Ms. Sabnam De Bardhan,
Ms. Rupsha Chakraborty.

....for the State.

1. Pursuant to the order dated 21st November, 2025, the respondent nos.2, 3 & 8 are represented in Court. The concerned responsible Officers, who have been deputed and are present in Court at the time of hearing, are as follows :

(a) Pinaki Biswas, Sr. Law Officer, DPPG,

(b) Haridas Biswas, F.C. & C.A.O., Dakshin
Dinajpur Zilla Parishad &

(c) Subhajit Saha, Panchayat Development
Officer, Dt. of P & RD filed a report.

2. I, however, find that the petitioner has filed the writ petition seeking direction upon the respondents for issuance of the Pension Payment Order. The records would reveal that the petitioner was initially engaged

by Dakshin Dinajpur Zilla Parishad in the year 2000 as a contractual Sub Assistant Engineer (SAE). Later on in the year 2007, he was absorbed as Nirman Sahayak in Balurghat Panchayat Samiti.

3. Later by an order dated 10th August, 2012, in terms of the sub-rule (7) of Rule 48 of the West Bengal Panchayat (Gram Panchayat Administration Rules), 2004, as amended vide notification dated 23rd November, 2004 and as per provisions of West Bengal Service (Appointment, Probation and Confirmation) Rules, 1979, the services of the petitioner had been confirmed as a Nirman Sahayak with effect from 8th February, 2007. At the relevant point of time, the petitioner was 43 years of age.
4. Although, the petitioner had rendered 17 years of service, since the petitioner's age was beyond the prescribed age limit of 37 years at the time of entry into service, a relaxation was necessitated.
5. Though, belatedly, the Hon'ble Governor of West Bengal has been pleased to condone the over age beyond the prescribed upper age limit of 37 years at the time of entry into service. Such fact would corroborate from the Officer Order dated 24th November, 2025 issued by the Assistant Secretary, Government of West Bengal, Panchayat & Rural

Development, which has been placed before this Court today and is taken on record.

6. Ms. Dey Bardhan, learned advocate representing the State as also the respondent nos.2, 3 & 8 on instructions would submit that having regard to the order condoning the overage of the petitioner dated 24th November, 2025, there would be no impediment in processing the petitioner's pension papers. According to her, the concerned B.D.O. can process the papers and take steps so that the respondent no.3 can issue Pension Payment Orders.
7. Since the State is represented in Court today, I am of the view that there is no necessity for issuing separate directions on the B.D.O., and having regard to the order dated 24th November, 2025 condoning the age of the petitioner, appropriate steps may be taken by the concerned authorities, including the B.D.O. so that the Pension Payment Order can be issued in favour of the petitioner at the earliest.
8. Needless to note that the petitioner shall be entitled to arrear pension along with interest @ 6% per annum, which shall be paid to the petitioner from the date when the same became due till such time the same be disbursed.

9. Consideration of the proposal for issuance of the Pension Payment Order and all slips in connection thereto shall not be delayed beyond a period of 12 weeks from the date of communication of this order.
10. With the above directions, the instant writ petitioner stands disposed of.

(Raja Basu Chowdhury, J.)