

19.02.2025
Item No.21,DL
Court No.19
AJ.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 3693 of 2025

Gurupada Pramanik

-Vs-

The State of West Bengal & Ors.

Mr. Subhrangsu Panda,

Ms. Haritri Roy,

Mr. Ratul Ghosal.

.....for the petitioner.

Ms. Rupsha Chakraborty,

Mr. Arindam Mitra.for the State.

Affidavit-of-service filed on behalf of the petitioner and
the report dated February 18, 2025 filed on behalf of the State
be kept with the record.

The petitioner was an Assistant Teacher of a Primary
School, on attaining the age of superannuation he has retired
from service on September 30, 2012.

The petitioner is praying permission to refund the
Government's share of contribution in his provident fund
account with interest and additional interest to avail the benefit
of pension.

Mr. Panda, learned Advocate for the petitioner submits
that the petitioner since has exercised option to come under
ROPA 1990 in terms of the judgment dated July 26, 2023
passed by the Hon'ble Division Bench of this Court in **MAT
146 of 2019 (The State of West Bengal & Ors. Vs.
Muktimoyee Pal (Dey) & Ors.)**, need not exercise a fresh
option, but to get the benefit of pension, is obliged to refund
the Government's share of contribution in his provident fund
account.

The District Inspector of Schools (P.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 to communicate the calculation to the petitioner 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 3693 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.)