

03.03.2025

WPST 32 of 2025

Sk. Rafikul Islam
Vs.
The State of West Bengal & Ors.

Mr. Lalratan Mandal

... ... for the petitioner

Ms. Sonal Sinha

Ms. Ashmita Chakraborty

... ... for the State

Affidavit of service is taken on record.

Heard learned counsel for the petitioner and
learned counsel for the State.

There is a shortfall of 1 year, 11 months and 23
days in the requisite qualifying service for the purposes
of grant of pension.

Learned counsel for the petitioner submits that the
petitioner is entitled to count the period prior to his
regularisation on 06.02.2010, i.e. from 1989 for the
purposes of qualifying service. The issue in this regard is
settled by the decision of a co-ordinate Bench in the
case of **Nemai Ch. Chatterjee in WPST 532 of 2010.**

Relying thereupon the authorities have extended
the relaxation of upto two years to another person
namely, Kishori Mohan Mahato in compliance of the
order passed by the tribunal in her O.A. 910 of 2016. He
submits that availing the liberty granted by the tribunal
for representing his case he will rely upon a decision of

the co-ordinate Bench in the case of Nemai Ch. Chatterjee (supra) as also grant of relaxation to Kishori Mohan Mahato.

Since the issue is to be considered by the tribunal, it is needless to say that they would be consider his case in accordance with law.

With such liberty, the writ petition being WPST 32 of 2025 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)