

356(M/L).
18-08-2025
(Ct. no.18)
debajyoti

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
APPELLATE SIDE**

WPA 5794 of 2024

**Keya Bandyopadhyay
Vs.
The State of West Bengal & Ors.**

Mr. Ekramul Bari,
Mr. Sk. Imtiaj Uddin
... For the Petitioner.

Mr. Supriya Chattopadhyay, learned AGP,
Mr. Sagnik Chatterjee
... For the State.

1. Affidavit-of-Service filed on behalf of the petitioner is taken on record.

2. Petitioner retired on superannuation on September 30, 2023 on attaining age of 60 years. But the grievance of the petitioner is pensionary benefits have not been released in favour of the petitioner. It is submitted by learned advocate representing the petitioner that she was appointed on substantive basis as an Assistant Teacher on January 25, 2014 and prior thereto, petitioner was working as a Para Teacher. At the time of superannuation, length of service of the petitioner as an approved teacher fell short of qualifying service of ten years by 3 months 24 days. Petitioner prays for condonation of shortfall in qualifying service and sanction of pensionary benefits.

3. State respondents are represented by learned advocates and it is submitted a representation is made by the petitioner addressed to the Secretary, School Education Department, being respondent

no.1 and same may be decided in accordance with law.

4. Having considered the case made out in this writ petition and taking note of the submissions made on behalf of respective parties, writ petition stands disposed of directing Secretary, School Education Department, Government of West Bengal to decide representation of the petitioner dated 30th January, 2023 whereby claim was laid for condonation of shortfall in qualifying service in order to sanction pensionary benefits in favour of the petitioner, within a period of eight weeks from the date of communication of this order. Respondent no.1 shall pass a reasoned order after granting opportunity of hearing to the petitioner or her representative. Petitioner shall also be at leave to rely upon relevant judgments delivered by this Court on similar issue.

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

6. Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Saugata Bhattacharyya, J.)