

25.08.2025
Court No. 18
Item No. 375 (ML)
(Suvendu)

WPA 7150 of 2024

Chitralkha Sarkar

-Versus-

The State of West Bengal & Ors.

Mr. Subhrangsu Panda

Ms. Ina Bhattacharyya

.....for the petitioner

Mr. Supriyo Chattopadhyay, Id. AGP

Ms. Iti Dutta

.....for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner has prayed for switching over from Contributory Provident Fund Scheme (CPF) to Pension-cum-Gratuity Scheme by excising option. From the memo dated 21st August, 2025 issued by the District Inspector of Schools (SE), Hooghly which is placed before this Court and taken on record, it appears that petitioner retired on superannuation on 30th November, 2004. Petitioner received benefit under Contributory Provident Fund Scheme. Referring to a letter of the Headmaster of the school where petitioner was working, it is stated in said memo dated 21st August, 2025 that there is no

evidence of any application made by the petitioner for switching over from Contributory Provident Fund Scheme to Pension-cum-Gratuity Scheme.

3. There was a time specified in memo dated 13th June, 2014 within which a retired teacher was required to exercise option for switching over from Contributory Provident Fund Scheme to Pension-cum-Gratuity Scheme as said Government notification dated 13th June, 2014 was issued in terms of the Judgment of the Hon'ble Special Bench dated 16th July, 2013 passed on intra-court appeal being APO No.94 of 2009 (State of West Bengal & Ors. -vs- Abhijit Baidya & Ors.).

4. Since time specified in memo dated 13th June, 2014 expired long back, no relief can be granted to the petitioner at this belated stage for switching over from Contributory Provident Fund Scheme to Pension-cum-Gratuity Scheme.

5. Writ petition stands dismissed.

6. There shall be no order as to costs.

7. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)