

W.P.A. 7582 OF 2025

**Mrs. Alokata Chongdar
Vs.
The State of West Bengal & Others**

Ms. Mayuri Ghosh, Adv.
Ms. Neelanjana Ghorui, Adv.
...for the Petitioner

Mr. Syed Shamsul Arefin, Adv.
Ms. Anima Das Chakraborty, Adv.
...for the State

Mr. Ratul Biswas, Adv.
Mr. Kaushik Chowdhury, Adv.
...for D.P.S.C., Howrah

By filing this writ petition, petitioner has claimed provident fund dues since she was a Primary Teacher, who retired on superannuation on 31st July, 2006. In addition thereto prayer is also made for release of interest on gratuity which was belatedly paid to the petitioner.

Learned advocate representing the State respondents has placed before this Court a communication dated 11th April, 2025 of the District Inspector of Schools (P.E.), Howrah wherefrom it appears provident fund dues were released in favour of the petitioner, which was assessed at Rs.1,43,772/-, on 10th August, 2015 by the District Primary School Council, Howrah *vide* cheque no.464885. In support of same relevant part of the bank passbook is annexed wherefrom it also appears that Rs.1,43,772/- was credited in favour of the petitioner. Communication dated 11th April, 2025 of the District Inspector of

Schools (P.E.), Howrah along with photocopy of the bank passbook are kept with the record.

On perusal of the writ petition, it appears petitioner filed first writ petition being WPA 21318 of 2012, which was disposed of *vide* order dated 12th June, 2014 thereby directing the concerned respondent authorities to release retiral dues as admissible, in accordance with law, within a specified time. After the order was passed by the Co-ordinate Bench on 12th June, 2014, provident fund was released in favour of the petitioner, as it appears from the communication dated 11th April, 2025 of the District Inspector of Schools (P.E.), Howrah, on 10th August, 2015.

Subsequently, petitioner filed another writ petition being WPA 20929 of 2018 claiming interest due to delayed payment of gratuity, which was disposed of by another Co-ordinate Bench *vide* order dated 17th January, 2019.

It is difficult to believe if provident fund dues were not cleared in terms of the order dated 12th June, 2014 passed in WPA 21318 of 2012, same would not have been agitated in the subsequent writ petition being WPA 20929 of 2018, which supports the contention made on behalf of State respondents that provident fund dues were paid to the petitioner after

order was passed by the Co-ordinate Bench on 12th June, 2014. There was further direction by the Co-ordinate Bench on 17th January, 2019 in the writ petition being WPA 20929 of 2018 for release of interest due to delayed payment of gratuity and after more than six years, the present writ petition has been instituted on 1st April, 2025 alleging interest on gratuity was not paid to the petitioner.

Though there is no plausible explanation of delay in the present writ petition in support of approaching this Court after more than six years, present writ petition is disposed of directing the concerned respondent authorities to release interest on gratuity as directed by the Co-ordinate Bench *vide* order dated 17th January, 2019 passed in WPA 20929 of 2018 within a period of four (4) weeks from the date of communication of this order, if the same has not been paid before. No direction is required for release of provident fund dues since same appears to have already been paid by the concerned respondent authorities to the petitioner.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon usual undertakings.

(Saugata Bhattacharyya, J.)