

W.P.A. 10463 of 2025

Sisir Kumar Adhikari
Vs.
The State of West Bengal & Ors.

Mr. Dilip Kumar Maiti
...for the petitioner
Mr. Arindam Chattopadhyay
...for DPSC, Nadia
Mr. Suman Dey
Ms. Kalpita Paul
...for the State

1. Learned advocate representing the State respondents and District Primary School Council, Nadia have jointly submitted that though petitioner has made a claim for extending the benefit of memorandum dated 1st October, 2019 being no. 535-F(Pen) issued by the Additional Chief Secretary to the Government West Bengal but same is not applicable in case of teachers working in primary schools.
2. Considering the submission made on behalf of the respondents it appears on perusal of the said memorandum dated 1st October, 2019 that benefit of said memorandum has been extended to Pre-2016 State Government Pensioners/Family Pensioners by consolidating pension/family pension.

Petitioner cannot be treated as State Government pensioner since petitioner retired from the post of primary teacher in a school which was under the jurisdiction of District Primary School Council, Nadia and West Bengal Board of Primary Education. Therefore, it is found that benefit of memorandum dated 1st October, 2019 ought not to be extended to retired primary teachers rather it is confined to State Government pensioners/family pensioner.

3. Hence, writ petition stands dismissed.
4. However, this order shall not preclude the petitioner to approach concerned respondent authorities for revision of pension in terms of ROPA 2019 if by this time pension of the petitioner has not been refixed in terms of said ROPA 2019
5. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)