

46. 17.06.2025
Court No.18.

(Pritam)

WPA 10564 of 2025.

Kartick Chandra Mondal.

-Vs.-

The State of West Bengal & Ors.

Mr. Aniruddha Singh,
Ms. Anjana Mehebab.

.....for the petitioner.

Mr. Sudip Sarkar,
Mr. Subhajit Chowdhury.

.....for the State.

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

Petitioner was a primary teacher who joined the
post on June 9, 2009 and retired on superannuation on
February 28, 2017. The length of service of the
petitioner was 7 years, 8 months and 19 days. Whereas,
the requisite length of service of a teacher to receive
pension in terms of relevant provisions under Death-
cum-Retirement Benefit Scheme, 1981 is ten years.

Learned advocate appearing for the petitioner
prays for pension on condoning shortfall in qualifying
service.

State respondents are represented by learned
advocate who has made submission based on the
relevant provisions of DCRB Scheme, 1981 and
according to the State respondents since the length of
service of the petitioner falls short of qualifying service of

ten years, he is not entitled to receive pensionary benefits.

Having considered the submissions made on behalf of the parties, this court finds that no useful purpose would be sub-served in keeping the writ petition pending.

Leave is granted to the petitioner to make a representation to the Secretary, School Education Department, Government of West Bengal, being respondent no.1 by fortnight from date.

If such representation is made within the aforesaid time, the said respondent shall decide the claim of the petitioner for pensionary benefits by eight weeks thereafter after granting an opportunity of hearing to the petitioner or his representative.

A reasoned order shall be passed by the respondent no.1 and the same shall be communicated to the petitioner ten days thereafter.

Writ petition stands disposed of.

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

(Saugata Bhattacharyya, J.)