

WPA 14092 of 2025

Sunil Sahoo
Vs.
The State of West Bengal & Ors.

Mr. Subhrangshu Panda
Ms. Haritri Roy
Mr. Ratul Ghosal
Mr. Rohit Adhikary

... ... for the Petitioner

Mr. Tarun Kumar Ghosh
Ms. Suvasree Ghose

... ... for the State

Affidavit of service filed today be kept with
the record.

The petitioner has a shortfall of 01 day from
the required length of 10 years of service for
pension eligibility. The petitioner was appointed on
20th January, 2000 and retired from service on 31st
January, 2010.

Counsel for the petitioner relies upon a
decision of this Court dated 28th May, 2021 in MAT
1917 of 2019 (The State of West Bengal Vs.
Rabindra Nath Ghosh) wherein a shortfall of 11
days in the tenure of service was condoned.

Admittedly, DCRB Scheme permits the State
to condone upto six months of shortfall of service.

In the aforesaid circumstances, this Court
would normally require to remand the matter to the
authorities for consideration of the petitioner's case
for such condonation.

Let regular PPO be issued to the petitioner upon receipt of the due calculation from the DI(PE), Purba Medinipur.

The impugned order dated 26.05.2015 passed by the Secretary, Government of West Bengal, School Education Department, is hereby be set aside. The DI shall carry out the calculation within a period of three weeks from the date of receipt of a copy of this order along with the a copy of the writ petition.

The DPPG shall thereafter within a period of one month from the date of receipt of particulars from the DI, issue PPO and commence payment of pension to the petitioner prospectively. The arrears of pension shall be paid to the petitioner within a period of three months thereafter along with interest in accordance with law.

The Writ petition being WPA 14092 of 2025 is accordingly disposed of.

There will be no order as to costs.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to have been denied.

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

(Rajarshi Bharadwaj, J.)