

10.12.2025
Item no.D/L 13
Court No. 18
Sc

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 15093 of 2025**

In the matter of :

Kanika De

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner:

Mr. Sakti Pada Jana

Mr. Subhajyoti Das.

....Advocates

1. The petitioner claims to be the widow of a secondary school teacher who retired from service on 31st January, 2004 and expired on 14th March, 2022. The husband of the petitioner did not exercise option to come under the GPF Scheme.
2. The instant writ petition has been filed by the widow on 4th July, 2025 seeking direction upon the authority to permit her to refund the share of Contributory Provident Fund along with interest and additional interest so that she may avail the benefit of the GPF Scheme.
3. None appears on behalf of the respondents.
4. On a perusal of the dates mentioned hereinabove, it appears that the teacher himself survived for nearly eighteen years after his superannuation. He never thought of switching from the CPF to GPF Scheme. He never raised any issue before any forum highlighting

any grievance. The same implies that the employee never had any objection to continue with the CPF Scheme.

5. After the death of the employee on 14th March, 2022 the instant writ petition has been filed by the widow on 4th July, 2025 seeking change of option exercised by her husband.
6. The Court is not inclined to accept such prayer of the widow in the facts and circumstances mentioned hereinabove. If the employee did not seek the benefit, the widow cannot be permitted to agitate such grievance after his death.
7. In view of the above, the writ petition fails and is hereby dismissed.
8. Photostat certified copy of this order, if applied for, be furnished to the parties on usual undertaking.

(Amrita Sinha, J.)