

S/L 13
28.07.2025
Court No.17
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 16086 of 2025

Jhulu Mahata

Vs.

The State of West Bengal & Ors.

Mr. Lalratan Mondal
Mr. Dilip Kumar Sadhu

...for the Petitioner.

Mr. Swapan Kumar Chatterjee

...for the State.

Affidavit of service filed on behalf of the petitioner be kept with the record.

The petitioner was a Cook at the hostel of the Sevayatan Silpa Vidyalaya; on attaining the age of superannuation, he has retired from the said service on November 30, 2018. The petitioner is complaining that till date pensionary benefit has not been provided to him.

Learned advocate for the State files written instruction which he has received from the Director of Industrial Training, Government of West Bengal; let it be kept with the record.

It appears from the said instruction that the petitioner was engaged by the Hostel Committee of the Institution in terms of G.O. No.998-Edu(T) dated December 07, 1981 and the said Government order had governed the service condition of the petitioner.

In terms of the said Government order the employees appointed under it are not entitled to the benefit of pension as such the prayer of the petitioner for pension cannot be considered.

However, the petitioner since has received the gratuity almost four years after his retirement on August 10, 2022; he is entitled to interest on the said gratuity amount.

The concerned authority is therefore directed to pay interest @ 8% per annum on the said gratuity amount from the date on which it was payable till the date of

actual payment within the period of eight weeks from the date of communication of this order.

WPA 16086 of 2025 is thus disposed of without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance of all requisite formalities.

(Biswajit Basu, J.)