

13.11.2025
Sl. No.2(DL)
Ct. No.14
srm

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 18764 of 2025

Sufia Khatun

Versus

The State of West Bengal & Ors.

Mr. Sourav Mitra,
Mr. Jakir Hossain

...for the Petitioner.

Mr. Rabiuddin Ahmed,
Ms. Susmita Chatterjee

...for the State.

1. By the present writ petition, the petitioner seeks for disbursement of arrear pension in favour of the petitioner from the date following the date of retirement of her husband till the date of sanction in reference of the pension payment order (Annexure P-2).
2. The petitioner contends that her husband, namely, Mozammel Hoque retired as assistant teacher of Ranidighi High Madrasah, P.O. Sihol, District-Dakshin Dinajpur on 29th February, 2012 and died on 25th June, 2025. Upon refund of the Government's share in contributory provident fund on 4th September, 2014, Pension Payment Order was issued on 3rd March, 2015 in favour of the petitioner's husband giving effect of pension on and from 4th September, 2014 i.e. the date of deposit of the Government's share in contributory

provident fund. The petitioner claims that her husband was entitled to pension from the date following the date of retirement. The petitioner seeks for arrear pension from the date following the date of retirement till the date of deposit of Government's share in contributory provident fund.

3. Mr. Sourav Mitra, learned Advocate for the petitioner submits that upon deposit of the Government's share in contributory provident fund, the Pension Payment Order was issued in favour of the petitioner's husband from the date of deposit and not from date following the date of retirement. As such the petitioner is entitled to arrear pension from the date following the date of retirement of the petitioner's husband till the date of deposit.
4. Ms. Susmita Chatterjee, learned Advocate appearing for the State leaves the matter to the discretion of the Court.
5. In view of the above, respondent No.3, Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent No.5, Treasury Officer, Gangarampur are directed to verify the records and in the event it is found that petitioner's husband exercised option and refunded the employer's share of contribution within the time specified in the notification dated 13th June, 2014, then appropriate steps shall be taken to issue a revised Pension Payment Order in favour of the petitioner's husband with effect from the date following the date of retirement on

superannuation and to release the pension in accordance with the revised Pension Payment Order. Such steps shall be taken within a period of twelve weeks from the date of communication of this order. Payment shall be released immediately upon issuance of the revised Pension Payment Order.

6. For the aforesaid purpose, the District Inspector of Schools (SE), Dakshin Dinajpur shall process the claim for arrears of pension and forward a necessary recommendation/sanction to the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal as expeditiously as possible who, in turn, shall act on the basis of such recommendation/sanction.
7. With the above direction, the writ petition being **WPA 18764 of 2025** stands disposed of.
8. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
9. Interim order, if any, stands vacated.
10. All connected applications, if any, stand disposed of.
11. There shall be no order as to costs.
12. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
13. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)