

10.11.2025
Item No. 05
Ct. No. 07
AN

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

**WPA 19346 of 2025
Sk. Abdur Rashid
vs.
State of West Bengal & ors.**

Ms. Sabita Khutia Bhunya
Ms. Arpita Saha

... for the petitioner

Ms. Jyotsna Roy Mukherjee
Ms. Debdooti Dutta

... for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks to refund the Government's share of Contributory Provident Fund with interest and additional interest in order to avail the benefit of family pension.
3. The petitioner contends that he joined in the post of Assistant Teacher on 15th March, 1973 and after rendering service for 33 years, the petitioner retired on superannuation on 30th June, 2003 as a Head Teacher of Rangmahal Quarania High Madrasah, Dist. Howrah. The petitioner was issued the pension payment order on 16th December, 2024 and thereafter he received the gratuity amount. The petitioner has exercised option under ROPA, 1990 and presently, willing to refund Government's share in the Contributory Provident Fund with interest and

additional interest in order to avail the benefit of pension.

4. Ms. Sabita Khutia Bhunya, learned advocate appearing for the petitioner seeks that the petitioner be permitted to refund the said amount as to be calculated by the District Inspector of Schools (S.E.), Howrah, respondent no. 4 herein.
5. Ms. Jyotsna Roy Mukherjee, learned advocate representing the State leaves the matter would the discretion of the Court.
6. Accordingly, respondent no. 4, the District Inspector of Schools (S.E.), Howrah is directed to calculate the amount required to be refunded by the petitioner to get the benefit of pension and upon deposit of the said amount, respondent no. 4, the District Inspector of Schools (S.E.), Howrah being the Pension Sanction Authority, shall verify the pension papers of the petitioner and shall send the same to the Director, Directorate of Pension, Provident Fund and Group Insurance, Government of West Bengal, respondent no. 3 herein for further steps to be taken in accordance with law for issuance of pension payment order in favour of the petitioner.
7. Both respondent nos. 3 and 4 shall comply with the respective directions in this regard as expeditiously as possible. The pension shall be paid to the petitioner and from the date of superannuation of the petitioner.

8. With the above directions, the writ petition being **WPA 19346 of 2025** stands disposed of.
9. Since no affidavits have been called for, the allegations made in the writ petition are deemed to be not admitted.
10. Consequently, connected applications, if any, also stand disposed of.
11. Interim orders, if any, stand vacated.
12. There will be no order as to costs.
13. Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Bivas Pattanayak, J.)