

06.11.2025
Sl. No.22
Ct. No.7
gd

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

WPA/19411/2025
CHHAYA SAHA (DAS)
VS
STATE OF WEST BENGAL AND ORS.

Mr. Banshi Badan Maity

...for the Petitioner.

Mr. Abu Siddique Mallik

...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 direction upon the respondent nos.3, 4 and 5 to sanction the arrear pension in favour of the petitioner from the date of retirement till the date of sanction.
3. The petitioner contends that she has retired as Head Teacher from Hirapur Primary School, P.O. – Parasiya, District – Bankura on and from 31st January, 2007. In response to Notification being No.749-SE(1)/SL/55-56/13(Pt-V) dated 13th June, 2014 the petitioner applied for conversion and deposited the entire amount of Governments' share in Contributory Provident Fund including accrued interest plus additional interest to the concerned Treasury Office on 10th September, 2014. Pension was sanctioned on 13th May, 2015 with effect from 10th September, 2014 and not from date of

retirement. In such backdrop, the petitioner seeks for disbursement of arrear pension.

4. Learned advocate for the petitioner submits that the petitioner is entitled to pension from the next date of her retirement on 31st January, 2007. However, pension has been given effect from 13th May, 2015. As such, the petitioner is entitled to arrear pension from the date of retirement till the date of sanction.
5. The learned advocate for the State leaves the matter to the discretion of the court.
6. In view of the above, the respondent no.3-the Director of Pension, Provident Fund and Group Insurance and the respondent no.5-the Treasury Officer, Bankura to verify the records, and in the event, it is found that the petitioner 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 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 a copy of this order. Payment shall be released immediately upon issuance of the Revised Pension Payment Order.

7. For the aforesaid purpose, the District Inspector of Schools concerned shall process the claim for arrears of pension and make/forward a necessary recommendation/sanction to the Director of Pension, Provident Fund and Group Insurance expeditiously, who shall, in turn, act on the basis of such recommendation/sanction.
8. With the aforesaid directions, the writ petition being **WPA 19411 of 2025** is disposed of.
9. Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.
10. There shall be no order as to costs.
11. 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.)