

10.11.2025
Sl. No.17
Ct. No.7
gd

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

WPA/21216/2025
NIRMALA MAHATA
VS
THE STATE OF WEST BENGAL ADN ORS.

Mr. Banshi Badan Maity

...for the Petitioner.

Mr. Rakesh Singh

...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 for disbursement of arrear pension in favour of the petitioner from the date of retirement till the date of sanction of the Pension Payment Order i.e. 22nd August, 2014.
3. The petitioner contends that the petitioner retired as Assistant Teacher from s.t.p. Bengali Primary School, P.O.- Santaldi, District-Purulia on and from 31st October, 2013. Upon refund of the entire amount of Government's share of Contributory Provident Fund including interest and additional interest to the concerned Treasury Office on 22nd August, 2014, Pension Payment Order was issued on 25th November, 2014 with effect from 22nd August, 2014. However, the pension ought to have been given effect from the

date following the date of retirement. Hence, this writ petition.

4. Mr. Banshi Badan Maity, learned Advocate for the petitioner seeks for appropriate direction upon the respondent authorities for releasing of the arrear pension in favour of the petitioner in accordance with law.
5. Learned advocate for the State leaves the matter to the discretion of the court.
6. It is found that upon deposit of the employer's share of Contributory Provident Fund on 22nd August, 2014, Pension Payment Order was issued in favour of the petitioner on 25th November, 2014 with effect from 22nd August, 2014. Accordingly, the petitioner is entitled to arrear pension from the date following the date of retirement till 22nd August, 2014 i.e. date on which the pension has been given effect to.
7. Accordingly, the respondent no.3, the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no.5, the Treasury Officer, Purulia are directed 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 four weeks from the date of communication of this order. Payment shall positively be released immediately upon issuance of the Revised Pension Payment Order.

8. For the aforesaid purpose, the respondent No.4, District Inspector of Schools (Primary Education), Purulia shall process the claim for arrears of pension and forward a necessary recommendation/sanction to the Director of Pension, Provident Fund and Group Insurance expeditiously who shall act on the basis of such recommendation/sanction.
9. With the above direction, the writ petition being **WPA 21216 of 2025** stands disposed of.
10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
11. Interim order, if any, stands vacated.
12. All connected applications, if any, stand disposed of.
13. There shall be no order as to costs.
14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
15. 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.)