

10.11.2025
Sl. No.18
Ct. No.7
gd

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

WPA/21297/2025
SWAGATA CHATTERJEE
VS
STATE OF WEST BENGAL AND ORS.

Ms. Sabita Khuita (Bhunya)
Ms. Arpita Saha

...for the Petitioner.

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 granted in favour his mother from the date of retirement till the date of sanction of the pension.
3. The petitioner contends that his mother was a Teacher of Primary School of Howrah District and retired from service on 31st March, 1997 from South Jhapordah Shibtala Girls Primary School, Village and P.O.-Dakshin Jhaprodaha, P.S. – Domjur, District - Howrah. The mother of the petitioner deposited the Government's share of Contributory Provident Fund on 28th August, 2014 and Pension Payment Order was issued on 2nd March, 2015 with effect from 28th August, 2014. The petitioner seeks for arrear pension from the date following the date of retirement till the

date pension was given effect to i.e. 28th August, 2014. Hence, this writ petition.

4. Ms. Sabita Khuita (Bhunya, learned Advocate for the petitioner submits for issuance of specific direction upon the respondent authorities for disbursement of the arrear pension in favour of the petitioner who is the only legal heir.
5. None appears for the State.
6. Md. Farhaduddin, learned advocate, who usually appears on behalf of the State, is requested to appear in this matter. Let his appointment be regularised.
8. The petitioner is directed to serve a copy of the writ petition along with the annexures to Md. Farhaduddin, learned advocate for the State.
9. Learned advocate for the State leaves the matter to the discretion of the court.
10. It is found that that the mother of the petitioner deposited the Government's share of Contributory Provident Fund on 28th August, 2014. Subsequent thereto Pension Payment Order was issued on 2nd March, 2015 with effect from 28th August, 2014. Accordingly, the petitioner is entitled to receive the arrear pension from the date of retirement of his mother till 28th August, 2014 i.e. date on which the pension has been given effect to.
9. 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, Howrah-I 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's mother 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.

10. For the aforesaid purpose, respondent No.4, District Inspector of Schools (Primary Education), Howrah 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.
11. With the above direction, the writ petition being **WPA 21297 of 2025** stands disposed of.
12. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
13. Interim order, if any, stands vacated.

14. All connected applications, if any, stand disposed of.
15. There shall be no order as to costs.
16. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
17. 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.)