

08.12.2025
Item No. 10
Ct. No. 14
AN

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

WPA 21793 of 2025

**Binapani Tewari
vs.
State of West Bengal & ors.**

Mr. Sudipta Maiti

...for the petitioner

Mr. Sanjib Das

...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 release of arrear pension with effect from the date following the date of retirement till the date of sanction of pension with effect from 17th October, 2014.
3. The petitioner contends that she was a Head Teacher of Konerpur Sitalananda Primary School, P.O. Konerpur, Dist. Paschim Medinipur. She retired from service on 30th June, 2009 on superannuation. The petitioner refunded the entire government share of Contributory Provident Fund with interest and additional interest to the concerned Treasury Office on 17th October, 2014 in terms of the Notification dated 13th June, 2014. The pension has been given from the date of the refund of the employers' share of Contributory Provident Fund. The petitioner is

entitled to pension from the date following the date of her retirement. Hence this writ petition.

4. Mr. Sudipta Maiti, learned advocate appearing for the petitioner submits that the petitioner is entitled to pension from the date following the date of retirement. However, the pension has been given effect to from date of refund i.e. 17th October, 2014. He seeks for necessary directions for disbursement of arrear pension.
5. None appears on behalf of the State.
6. Mr. Sanjib Das, learned advocate who usually represents the State is requested to appear in this matter on behalf of the State. Let his appointment be regularised by the Office of the learned Government Pleader.
7. Petitioner is directed to handover a copy of the writ petition alongwith all annexures to the learned advocate representing the State.
8. Mr. Das, learned advocate representing the State leaves the matter to the discretion of the Court.
9. There cannot be any quarrel that an employee is entitled to pension following the date of his/her retirement.
10. Accordingly, respondent no. 4, the District Inspector of Schools (P.E.), Paschim Medinipur and respondent no. 5, the Treasury Officer, Ghatal, P.O. Ghatal, District-Paschim Medinipur 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 eight weeks from the date of communication of this order. Payment shall positively be released immediately upon issuance of the Revised Pension Payment Order.

11. For the aforesaid purpose, respondent no. 4, the District Inspector of Schools (P.E.), Paschim Medinipur 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.
12. Learned advocate for the petitioner is directed to communicate this order to respondent no. 4, the District Inspector of Schools (P.E.), Paschim Medinipur and respondent no. 5, the Treasury Officer, Ghatal, P.O. Ghatal, District-Paschim Medinipur, for necessary compliance.

13. With the above directions, the writ petition being **WPA 21793 of 2025** stands disposed of.
14. Since no affidavits have been called for, the allegations made in the writ petition are deemed to be not admitted.
15. Consequently, connected applications, if any, also stand disposed of.
16. Interim orders, if any, stand vacated.
17. There will be no order as to costs.
18. 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.)