

12.11.2025
Sl. No.36
Ct. No.14
gd

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

WPA/24502/2025
JAMINI RANI MAHATO
VS
STATE OF WEST BENGAL AND ORS.

Ms. Sudipa Banerjee

...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 direction upon the respondent nos.3, 4 and 5 to sanction the arrear pension in favour of the petitioner from the date following the date of retirement till the date of sanction in reference to the Pension Payment Order (Annexure P-2).
3. The petitioner contends that she was Head Teacher from Dhenkipura Con Basic School, P.O. – Pukuria, District – Jhargram and retired from service on and from 31st May, 2010. Upon deposit of the employer's share in Contributory Provident Fund on 16th September, 2014, the Pension Payment Order was issued on 28th April, 2015 with effect from 16th September, 2014. The petitioner seeks for disbursement of arrear pension following the date of retirement till the date of sanction.

4. Ms. Sudipa Banerjee, learned Advocate seeks for appropriate direction for disbursement of the arrear pension.
5. None appears on behalf of the State.
6. Ms. Sanchayita De, learned advocate, who usually appears for the State, is requested to appear in this matter. Let her appointment be regularised.
7. The petitioner is directed to hand over a copy of the writ petition along with the annexures to Ms. De, learned advocate for the State.
8. Ms. De, learned advocate for the State leaves the matter to the discretion of the court.
9. It is found that the petitioner retired on 31st May, 2010. However, the pension has been given effect from 16th September, 2014 i.e. the date on which employer's share of Contributory Provident Fund was refunded. The petitioner is entitled to pension from the date following the date of retirement.
10. 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, Jhargram 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.

11. For the aforesaid purpose, the respondent No.4, District Inspector of Schools (Primary Education), Jhargram 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 the respondent no.3 and the respondent no.5.
13. With the above direction, the writ petition being **WPA 24502 of 2025** stands disposed of.
14. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
15. Interim order, if any, stands vacated.
16. All connected applications, if any, stand disposed of.
17. There shall be no order as to costs.

18. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
19. 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.)