

Item-
1. 01-07-2025

MAT 1950 of 2019

sg

Director of Pension and Provident Fund and
Group Insurance & Ors.

Vs.

Ct. 8

Lina Jana & Ors.

Mr. Bhaskar Prasad Vaisya, A.G.P.

Mr. Suman Dey

...for the appellants

Mr. Balai Lal Sahoo

...for the respondent no.1

1. Although the matter is appearing under the heading “To Be Mentioned”, by consent of the parties, the appeal is heard and disposed of by this order.
2. The issue raised in this appeal is no more *res integra* in view of the judgment of the Special Bench in ***MAT 1518 of 2019 (The State of West Bengal & Ors. Vs. Sabita Roy)*** with ***MAT 608 of 2021 (The Director of Pension, Provident Fund and Group Insurance & Ors.)*** with ***WPA 25396 of 2017 (Shyamali Maity vs. State of West Bengal & Ors.)*** decided on 20th June, 2023.
3. Mr. Suman Dey, learned Counsel appearing on behalf of the appellants has fairly submitted that the issue raised in this appeal is covered by the said judgment and the writ petitioner shall be entitled to the benefits subject to compliance of paragraphs 18 and 19 of the said judgment.
4. The learned Counsel appearing for the writ petitioner has submitted that during the pendency of the contempt proceeding, PPO has been issued on 20th December, 2019

but the amount has not be disbursed as in the PPO it is stated that it shall abide by the result of MAT 1950 of 2019.

5. In view of the fact that the issue is no more *res integra* and paragraphs 18 and 19 of the judgment of the Special Bench squarely covers the issue raised in this appeal, we direct the Directorate of Pension to take immediate steps for release of family pension and arrear in favour of the writ petitioner within a period of four weeks from date.
6. In view of the fact that PPO has already been issued, no further formality is required to be complied with.
7. This order shall be immediately communicated to the Directorate of Pension for compliance.
8. The appeal is disposed of with the aforesaid direction.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Soumen Sen, J.)

(Smita Das De, J.)