

08.12.2025
Sl. No.14(DL)
Ct. No.14
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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 27249 of 2025

Bela Goswami alias Bela Rani Goswami

Versus

The State of West Bengal & Ors.

Mrs. Sabita Khutia (Bhunya),
Mr. Krishna Pada Santra

...for the Petitioner.

Mr. Ziaul Islam
Mr. Amman Arif Ansari

...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 permission to deposit the employer's share of Contributory Provident Fund amount with interest and additional interest and for grant and disburse of arrear pension of her husband from the next date of retirement and family pension along with arrears.
3. The petitioner contends that her husband was an Assistant Teacher of Moulahir Primary School, Dist. Bankura and after rendering more than 33 years of service the husband of the petitioner retired from service on superannuation on 31st July, 2000. The husband of the petitioner died on 10th February, 2010. The petitioner's husband exercised option under ROPA

- 1990 and ROPA 1998. The petitioner intends to deposit the Government's share of Contributory Provident Fund with interest and additional interest to avail the benefit of family pension.
4. Mrs. Sabita Khutia (Bhunya), learned Advocate for the petitioner submits that in the light of the proposition laid down by the Hon'ble Division Bench of this Court in ***Pramila Behara versus The State of West Bengal (In Re: FMA 864 of 2022)*** and in ***State of West Bengal versus Sefali Jana & Ors. (In Re: FMA 620 of 2018)***, the petitioner may be permitted to deposit the employer's share of Contributory Provident Fund amount together with interest and additional interest to avail the benefit of family pension.
 5. Mr. Ziaul Islam, learned Advocate for the State submits that he has not received any information. However, the issue has been decided by the Larger Bench and the petitioner's representation may be relegated to the authority for due consideration.
 6. In view of the proposition laid down by the Hon'ble Division Bench as cited above, the respondent No.4, District Inspector of Schools (Primary Education), Bankura is directed to calculate the amount required to be refunded by the petitioner to get the benefit of pension and upon deposit of the said amount the said respondent being the pension sanctioning authority shall verify the pension papers of the petitioner and send the same to the respondent No. 3, Director of

Pension, Provident Fund and Group Insurance, Government of West Bengal for further steps to be taken in accordance with law for issuance of the Pension Payment Order in favour of the petitioner.

7. The respondent nos. 3 and 4 shall complete the respective exercise as expeditiously as possible and the pension shall be paid to the petitioner on and from the next date of superannuation of the petitioner's husband.
8. With the above direction, the writ petition being **WPA 27249 of 2025** stands disposed of.
9. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
10. Interim order, if any, stands vacated.
11. All connected applications, if any, stand disposed of.
12. There shall be no order as to costs.
13. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
14. 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.)