

15 08.01.2025
rkd Ct.18

W.P.A. 30717 of 2024

Sushil Kumar Pramanik

-vs-

The State of West Bengal & Ors.

Mr. Saumen Gayen,
Mr. Sandipan Maity

....for the petitioner.

Mr. Sayan Datta

....for the State.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

Petitioner prays for condonation of requisite
ten years qualifying service in settling pension in
his favour.

It is submitted on behalf of the petitioner
that prior to his appointment on substantive basis
on 28th November, 2013 he was working as a part
time teacher in another school and being an in
service teacher applied for participation in 12th
Regional Level Selection Test, 2011 for being
appointed in the post of Assistant Teacher.

It is also submitted that treating the
petitioner as in service candidate petitioner was
selected by the School Service Commission for
being appointed as an Assistant Teacher in History
and accordingly he was appointed on and from 28th
November, 2013.

It is contended on behalf of the petitioner that past service of the petitioner prior to his appointment on 28th November, 2013 needs to be taken into consideration while settling the pension case of the petitioner and for condoning shortfall in qualifying service.

It is submitted on behalf of the State respondents that petitioner retired on superannuation on 30th April, 2023. Therefore, qualifying service of the petitioner fell short of requisite period as contemplated which made him ineligible to receive pension.

Having considered the submissions made on behalf of the parties, the writ petition stands disposed of directing the Secretary, School Education Department being respondent no.1 to decide the representation of the petitioner dated 14th December, 2022 seeking sanction of pensionary benefits on condonation of shortfall in qualifying service, by twelve weeks from the date of communication of this order and respondent no.1 shall pass a reasoned order after granting opportunity of hearing to the petitioner or his representative.

Since it is a case of sanction of pensionary benefits it is expected that respondent no.1 shall

make sympathetic consideration of the issue in order to take a decision which would be beneficial to the retired teacher.

The decision to be taken by the respondent no.1 shall be communicated to the petitioner by one week thereafter.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)