

08 15.01.2025
Ct.18
(Suvendu)

W.P.A. 30642 of 2024

Dwijendra Nath Roy

-vs-

The State of West Bengal & Ors.

Mr. Subrata Mukherjee

....for the petitioner

By presenting this writ petition, petitioner has prayed for payment of interest from 1st April, 2011 till date of release of Provident Fund under Contributory Provident Fund Scheme. Petitioner retired on superannuation on 31st March, 2011 and admittedly he was under the CPF Scheme. Petitioner at present is in receipt of pension.

It is submitted by learned advocate representing the petitioner that in terms of Government notification dated 13th June, 2014 which was issued pursuant to the judgment of the Special Bench dated 16th July, 2013 passed on intra-court appeal being APO No.94 of 2009 (State of West Bengal & Ors. -vs- Abhijit Baidya & Ors.), petitioner availed of benefits on switching over from CPF to GPF Scheme.

Since petitioner switched over from CPF to GPF Scheme in terms of Government notification dated 13th June, 2014 petitioner had to refund Provident Fund which was released in his favour by Order dated 3rd February, 2014 along with interest.

Therefore, after switching over from CPF to GPF Scheme on refunding Provident Fund which was paid to petitioner under CPF Scheme, along with interest subsequently petitioner cannot pray for interest due to delayed payment of Provident Fund under the previous Scheme.

Hence, writ petition stands dismissed.

There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)