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(CPF-GPF)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA/238/2026

SHIBANI CHAKRABORTY
VS.
THE STATE OF WEST BENGAL ORS.

Mr. Sourav Mitra, Advocate
Ms. Sreyasree Choudhury, Advocate
Mr. Banshi Badan Maity, Advocate

.....for the Petitioner

Mr. Rithesh Kumar Ganguly, Advocate
Ms. Debasmita Chakraborty, Advocate

.....for the State

1. Affidavit-of-service filed in Court today, is taken on record.
2. The petitioner though submitted his option for enjoying benefit under the GPF Scheme but failed to refund the amount in terms of the notification published by the State Government because of acute financial distress. The petitioner presently intends to refund the said amount along with additional interest.
3. Learned Advocate appearing on behalf of the petitioner relies upon the order passed by the Coordinate Bench in WPA/14939/2024, which was passed in similar circumstances.
4. It is no longer *res integra* as the issue has been conclusively decided by a Division Bench of this Hon'ble Court in a case reported in 2013 (3) CHN 714 and also in MAT/146/2019 (*The State of West Bengal & Ors. Vs. Muktimoyee Pal (Dey) & Ors.*).
5. In view of the above, the District Inspector of Schools (S.E), Kolkata is directed to consider the prayer of the petitioner for refund of the employer's share of contribution with interest and additional together with further interest @12% per annum on and from the date of Notification No.749-SE(L)/SL5S-56/13(Pt)-V dated 13th June, 2014 till the date of actual payment.

6. The amount to be refunded by the petitioner shall be calculated by the concerned District Inspector of Schools (S.E), Kolkata and communicated to the petitioner for payment.
7. Upon refund of the intimated amount within a period of two weeks from the date of intimation, the petitioner's prayer for the benefit in terms of the notification dated 13th June, 2014 shall be processed and fresh pension payment order shall be issued within a period of eight weeks thereafter.
8. The pension shall be paid to the petitioner on and from the day after the date of superannuation.
9. It is made clear that the petitioner will not be entitled to claim any interest upon the payment that will be made in terms of this order. Learned Advocate appearing for the petitioner is directed to forward all documents in support of his claim to the District Inspector of Schools (S.E), Kolkata at the time of communicating this order.
10. With these directions, the writ petition is **disposed of**. No order as to costs.
11. Urgent certified website copy of this order, if applied for, be made available to the petitioner upon compliance with the requisite formalities.

(Reetobroto Kumar Mitra, J.)

