

13 **24.03.**
2026
Ct. No. 24

Ab

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE.**

WPA 2200 of 2026

Sristidhar Biswas

Vs.

The State of West Bengal and others.

**Mr. Sakti Pada Jana,
Mr. Sudipta Pramanik.**

... for the petitioner.

**Mr. Arjun Roy Mukherjee,
Mr. Biswajit Das.**

... for the State.

1. The affidavit of service filed today is taken on record.
2. In spite of service, none appears for the school authorities.
3. The petitioner was in service in the Chandpur High School (HS) for approximately fourteen years from March 2001 till about 2014, when he tendered his resignation.
4. The moot questions that have arisen are two fold;
 - a) *Whether the petitioner is entitled to pensionary benefits under the Death-cum-Retirement Scheme, 1981 after tendering resignation?*
 - b) *Whether he will be entitled to such pensionary benefits, if he has taken appointment in a Government Organization after tendering resignation in one institution?*

5. Mr. Mukherjee, learned Advocate appearing for the State Authorities, has placed on record a communication dated February 12, 2026 by the respondent no. 3, which is kept on record, wherefrom it appears that the respondent no. 3 has come to a conclusion that the petitioner is not entitled to such payments as he has not resigned with proper permission.
6. In view of the afore-stated facts pertaining to the instant case, the issues afore-stated have to be decided by a higher authority.
7. I direct the petitioner to make a representation before the respondent no. 2 by April 30, 2026 with all supporting documents and papers to establish his claim.
8. The respondent no.2 will consider the claim of the petitioner on the basis of his representation upon giving the petitioner and the school authorities adequate prior notice for such hearing.
9. The entire exercise as directed herein before will be completed by the respondent no. 3 by June 30, 2026. The respondent no. 2 will pass a reasoned order on the afore-stated issues as well as any other issue that may be raised by the parties at the time of hearing.
10. With the afore-stated directions, the writ petition is disposed of.

11. There shall, however, be no order as to costs.
12. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)