

21.04.2026
Ct. No.24
Sl. No.55
akd

W. P. A. 4649 of 2026

[Susil Kumar Naskar -Vs- The State of West Bengal & Ors.]

Mr. Sourav Mitra
Ms. Sreyasree Choudhary
Mr. Banshi Badan Maity
Mr. Goutam Malik

... ... for the petitioner

Mr. Kapil Guha

... ... 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 of 2024*, which was passed in similar circumstances.
4. The issue is no more *res integra* as the issue has been conclusively decided by a Division Bench of this Hon'ble Court reported in *2013 (3) CHN 714* and also in *MAT 146 of 2019 (The State of West Bengal & Ors. vs. Muktimoyee Pal (Dey) & Ors.)*.
5. In view of the above, the instant writ petition is disposed of by directing the District Inspector of Schools (SE), South 24-Parganas to consider the prayer of the petitioner for refund of the employer's share of contribution with interest and additional together with further interest at the rate of 12% per annum on and from the date of notification being No.749-

SE(L)/SL5S-56/13(Pt)-V dated June 13, 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 (SE), South 24-Parganas and communicated to the petitioner for payment within four weeks from the date of communication of this order by the petitioner.

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 June 13, 2014 shall be processed and fresh Pension Payment Order (PPO) 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.

10. Learned Advocate appearing for the petitioner is directed to forward all documents in support of his claim to the District Inspector of Schools (SE), South 24-Parganas at the time of communicating this order.

11. With the afore-stated directions, the writ petition is disposed of.

12. There shall be no order as to costs.

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

(Reetobroto Kumar Mitra, J.)