

20th Feb., 2026
Item no.M/L 501
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 6459 of 2024**

In the matter of :
Madhusudan Baidya & Ors. *Petitioners*
VS.
The State of West Bengal & Ors. *Respondents*

For the Petitioners:
Mr. Sakti Pada Jana
Ms. Ankita Biswas *Advocates*

For the State:
Mr. Ranjan Saha
Mr. Abhijit Boral *Advocates*

1. The father of the petitioners was an Assistant Teacher of a High School who retired from service on 31st January, 2004 and expired on 16th November, 2011.
2. The State Government published the Government Order No.749-SE(L)/55-56/13 (Pt.V) on 13th June, 2014 pursuant to which the teachers had the option to join GPF scheme upon refund of the employer's share of provident fund.
3. As the father of the petitioners expired prior to the publication of the State Government Order, accordingly he could not avail the said benefit. The petitioners, being the legal heirs, intend to avail the benefit of the aforesaid Government Order.
4. The Court in similar circumstances permitted the legal heirs of the deceased teacher to exercise option in terms of the aforesaid Government Order.
5. Reliance has been placed on the order dated 6th March, 2024 by a coordinate Bench in WPA 3480 of 2024 (Manjushri Mondal Versus The State of West Bengal & Ors.).

6. Reliance has also been placed on the order passed by the Hon'ble Division Bench on 24th August, 2023 in FMA 620 of 2018 with IA No. CAN 1 of 2017 (Old No.CAN 7452 of 2017) (State of West Bengal Ors. Vs. Sefali Jana & Ors.).
7. In line with above decisions the instant writ petition is disposed of by directing the District Inspector of Schools (SE), South 24 Parganas to process the application filed by the petitioners as expeditiously as possible.
8. The amount of money that is to be refunded by the petitioner shall be calculated and communicated to the petitioners within a period of two weeks from the date of communication of this order.
9. Upon the petitioners complying all formalities including refund of deposit of employer's share of provident fund along with interest and additional interest, fresh Pension Payment Order shall be issued within two months thereafter.
10. The arrear of pension and family pension from the date of retirement of the deceased employee shall be released to the petitioners within two months from the date of issuance of the Pension Payment Order.
11. The writ petition stands disposed of.
12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)