

41 **28.04.**
2026

Ct. No. 24

sdas

WPA 6413 of 2026

Pratima Khalua

Vs.

The State of West Bengal and others.

Mr. Sourav Mitra,
Ms. Sreyasree Choudhury.

... for the petitioner.

Ms. Sabnam De Bardhan
Mr. Nikhil Gupta

... for the State.

1. The affidavit of service filed today is taken on record.
2. The husband of the petitioner was a non-teaching staff (Group-D) in a secondary school who retired from service on February 28, 1998 and expired on May 04, 2011.
3. The State Government published the Government Order No. 749-SE(L)/55-56/13 (Pt. V) on June 13, 2014 pursuant to which the teachers had the option to join GPF scheme upon refund of the employer's share of provident fund.
4. As the husband of the petitioner expired prior to the publication of the said State Government Order, he could not avail the said benefit. The petitioner, being the widow, intends to avail the benefit of the aforesaid Government Order.
5. The Court in similar circumstances permitted the widows of the deceased teachers to exercise option

in terms of the said Government Order.

6. Reliance has been placed on the order dated 6th March 2024 by a coordinate Bench in WPA No. 3480 of 2024 (Manjushri Mondal vs. The State of West Bengal & Ors.).
7. Reliance has also been placed on the order passed by the Hon'ble Division Bench on August 24, 2023 in FMA No. 620 of 2018 with IA No. CAN 1 of 2017 (old CAN 7452 of 2017) (State of West Bengal & Ors. vs. Sefali Jana & Ors.).
8. In line with above decisions the instant writ petition stand disposed of by directing the District Inspector of Schools (SE), Purba Medinipur, to process the application filed by the petitioner as expeditiously as possible.
9. The amount of money that is to be refunded by the petitioner shall be calculated and communicated to the petitioner within a period of two weeks from the date of communication of this order.
10. Upon the petitioner complying with 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 released to the petitioner within two months thereafter.
11. The arrear of pension and family pension from the date of retirement of the deceased employee shall

be released to the petitioner within two months from the date of issuance of the Pension Payment Order.

12. The writ petition stands disposed of.

13. There shall, however, be no order as to costs.

14. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)