

06.05.2026

Item no.DL324
Court No. 24

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No.

WPA 7586 of 2026

In the matter of :

PURNA CHANDRA MAHAPATRA

... Petitioner

VS.

THE STATE OF WEST BENGAL & ORS.

... Respondents

For the Petitioner :

Mr. Tamal Taru Panda

... Advocate

For the Respondent / State :

Ms. Susmita Biswas Chowdhury

... Advocate

1. Affidavit-of-service filed in Court today, is taken on record.
2. The wife of the petitioner was a teacher in a secondary school who died in harness on 01.08.2001 and Pension Payment Order issued on 13.05.2003.
3. 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.
4. As the wife of the petitioner expired prior to the publication of the said State Government Order, she could not avail the said benefit. The

petitioner, being the husband, 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 06.03.2024 passed by a Coordinate Bench in WPA/3480/2024 (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 24.08.2023 in FMA/620/2018 (State of West Bengal & Ors. Vs. Sefali Jana & Ors.).
8. In line with above decisions, I direct the concerned District Inspector of Schools (SE), 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 issued in his favour within a month 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. With the aforestated directions, the instant writ petition stands disposed of.
13. There shall be no order as to costs.
14. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Reetobroto Kumar Mitra, J.)