

08-06-2026
Item No.34 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction

Appellate Side

WPA No.11299 of 2026

Nikhil Chandra Roy

-vs-

Employees' Provident Fund Organisation & Ors.

Ms. Susmita Dey (Basu)

Mr. Kaustav Ghosh

Mr. Antarik Dawn ...for the petitioner

Mr. Rajib Ray

...for the PF Organisation

Mr. N.C. Bihani, sr. adv.

Mr. Soumyajit Ghosh ...for CSTC

1. The petitioner claims pension in accordance with the Employees' Pension Scheme, 1995 (EPS). The amount of money that was required to be refunded by the petitioner was communicated to him by the Employees' Provident Fund Organization vide demand letter dated July 15, 2024. Till September 30, 2024, the amount due to be deposited by the petitioner along with the interest was calculated as Rs.7,34,938/-. The petitioner alleges that as he was not paid his provident fund dues, he was not in a position to refund the amount as calculated.
2. In compliance of an order passed by the Hon'ble Court in a separate writ petition filed by the petitioner, 80% of his provident fund dues were disbursed in April 2026. The petitioner presently intends to refund the due amount along with interest for obtaining higher pension under the

Employees' Pension Scheme. The petitioner submits that he is not aware of the updated amount required to be refunded by him.

3. As the petitioner intends to refund the amount, accordingly, the Employees' Provident Fund Organization is directed to make the necessary calculation of the amount required to be refunded by him so that the petitioner can receive higher pension under EPS.
4. The instant writ petition is disposed of by directing the Regional Provident Fund Commissioner, Barrackpore Employees' Provident Fund Organization, the second respondent herein, to make the necessary updated calculation of the amount due till end of July, 2026 which is required to be refunded by the petitioner so that he may receive higher pension under EPS.
5. Such calculation shall be intimated to the petitioner at the earliest but positively by June 30, 2026. The petitioner may refund the due amount within two weeks from receipt of the updated calculation.
6. On refund of the amount of such calculation, the authority shall take steps for disbursing higher pension to the petitioner in accordance with EPS from the month of July, 2026.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

