

27th Jan., 2026
Item no.M/L 703
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 17910 of 2023**

In the matter of :

Basudeb Mukherjee @ Basudev Mukherjee

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner:

Ms. Sabita Khutia (Bhunya)

Mr. Krishna Pada Santra

....Advocates

1. The petitioner seeks condonation of shortfall in his service period for grant of pension.
2. The petitioner claims that he was issued appointment letter by the Secretary of the school on 2nd January, 1972 to serve as organizing headmaster. The school was recognized as junior high school on 18th February, 2000 and the petitioner was absorbed in substantive post of teacher-in-charge on 1st May, 2000.
3. He retired after discharging five years and nine months of service as teacher-in-charge on 31st January, 2006. Pension Payment Order was issued in his favour without granting any pension on 20th February, 2017.
4. The petitioner made representation before the respondent authorities to count his past continuous unapproved service as organizing headmaster of the school for the purpose of grant of pension in his favour.
5. None represents the State respondents.
6. Learned advocate for the petitioner submits that the case of the petitioner is similar to one decided by the Court on 18th February, 2020 in FMA 677 of 2025 (The State of West Bengal & Ors. Vs. Kartick Chandra Das & Ors.).

7. The representation filed by the petitioner seeking pensionary benefit on condonation of shortfall in his service period is pending consideration before the respondent authorities for a considerable period of time.
8. Without entering into the merit of the claim of the petitioner, the instant writ petition is disposed of by directing the Commissioner of School Education (S.E.) being the respondent no. 2 herein to take a decision on the representation filed by the petitioner in accordance with law and in line with the judgment/order passed by the Hon'ble Division Bench of this Court in the matter of Kartick Chandra Das (supra) at the earliest but positively within a period of eight weeks from the date of communication of this order.
9. A reasoned order shall be passed and communicated to the petitioner immediately thereafter.
10. If the prayer of the petitioner is allowed, then necessary consequential steps shall be taken without any further delay.
11. Learned advocate of the petitioner is directed to forward a copy of the representation dated 28th April, 2023 along with all supporting documents to the aforesaid respondent at the time of communicating the order of this Court.
12. The writ petitions stands disposed of.
13. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)