

10.02.2026
Sl. No.12
Ct. No.14
gd

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA/18428/2025
MANZAR SIDDIQUI AND ORS.
VS
STATE OF WEST BENGAL AND ORS.

Md. Nauroz Rahber
Ms. Shahin Parveen
Ms. Jenifar Jinnu

...for the Petitioners.

Mr. Manish Biswas

...for the State.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. By the present writ petition, the petitioners seek for disbursement of arrears of pension in their favour from 31st January, 2012 till 16th November, 2014.
3. The petitioners contend that their father, late Masud Alam was an Assistant Teacher of Nichitpur Free Primary School who retired from service on superannuation on 31st January, 2012 as a Headmaster of the said school. The father of the petitioners during his service opted for conversion from Contributory Provident Fund (CPF) Scheme to General Provident Fund (GPF). The conversion was duly approved and accepted by the competent authority and the father of the petitioners was directed to deposit the employer's share of Contributory Provident Fund. Pursuant thereto, the father of the petitioners deposited the said amount

on 27th August, 2014. Pension Payment Order was issued in favour of the petitioners' father on 1st April, 2015 with effect from 27th August, 2014 i.e. the date of deposit. The father of the petitioners received pension till his demise on 26th February, 2023. The mother of the petitioners predeceased their father on 4th May, 2020. The pension ought to have been given effect from the date following the date of superannuation of the petitioners' father. Hence, this writ petition.

4. Md. Nauroz Rahber, learned Advocate for the petitioners submits that the pension sanctioning authority ought to have granted pension in favour of the petitioners' father from the date following the date of superannuation. However, the pension has been granted with effect from 27th August, 2014. He seeks for appropriate direction upon the respondent authorities for grant of arrears of pension in favour of the petitioners' father from the date following the date of superannuation till the date of sanction i.e. 27th August, 2014.
5. Learned advocate for the State leaves the matter to the discretion of the court.
6. From the contentions raised in the writ petition it is found that the pension in favour of the petitioners' father has been granted upon deposit of the employer's share of Contributory Provident Fund on 27th August, 2014. The pension has been given effect on and from 27th August, 2014 i.e. the date of deposit. It is settled

proposition of law that the pension should be granted following the date of superannuation of the employee.

7. Accordingly, the respondent no.7, District Inspector of Schools (P.E.), Uttar Dinajpur is directed to verify the records with regard to the deposit of the employer's share of Contributory Provident Fund and thereafter forward the same to respondent no.5, the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal for issuance of revised pension payment order in favour of the petitioners' father giving effect of pension from the date following the date of superannuation of the concerned employee.
8. For the aforesaid purpose, the respondent no.7, District Inspector of Schools (P.E.), Uttar Dinajpur shall also forward the claim for arrears of pension of the petitioners' father to the respondent no.5, the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal for further course of action. Such exercise shall be made within a period of three months from the date of communication of this order.
9. Learned advocate for the petitioners is directed to communicate this order to respondent no.5, the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal and respondent no.7, District Inspector of Schools (P.E.), Uttar Dinajpur, for necessary compliance.
10. With the above direction, the writ petition being **WPA 18428 of 2025** stands disposed of.

11. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
12. Interim order, if any, stands vacated.
13. All connected applications, if any, stand disposed of.
14. There shall be no order as to costs.
15. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
16. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)