

09.02.2026
Sl. No. 36
Ct No. 4
SG

W.P.S.T. 180 of 2025

**Sanatan Murmu @ Sanatan Murmmu
Vs
The State of West Bengal & Ors.**

Mr. Shuvanil Chakraborty,
Mr. Ratul Das.

... for the petitioner

Mr. Tirthankar Dey.

....for the State

1. The writ petitioner (a constable in Kolkata Police) was dismissed by an order dated 13.09.1993. The dismissal was founded on his conviction dated 04.09.1993 in Phoolbagan P.S. Case No. 108 of 1992. The petitioner was subsequently acquitted on 21.05.2002 by the appellate court by its judgment dated 21.05.2002 passed in Criminal Appeal No. 236 of 1993 with Criminal Appeal no. 33 of 1996. Relying upon such acquittal, the writ petitioner approached the authority for grant of post retiral benefits. Pursuing the same cause of action, he filed an original application bearing no. O.A. No. 158 of 2021 before the West Bengal Administrative Tribunal. The same has been dismissed.

2. It is submitted by the learned advocate for the writ petitioner that the post retiral benefits are due to the petitioner in view of his acquittal in the criminal case which was the only basis of his dismissal. The conviction having gone, the authorities were required to revisit the

issue in accordance with the provisions contained in the Police Regulation of Calcutta, 1968, which they have not done. He submits that the petitioner's claim to post retiral benefits (pensionary dues) is a continuing cause of action. Prior to his dismissal on the ground of conviction, he had served for nearly 25 years and thereby completed the qualifying service for the purpose of grant of pension. He submits that he served from 1968 to 1993.

3. It is submitted that relying on these facts, he would approach the Commissioner of Police, Kolkata Police respondent no. 2 by making a detailed representation.

4. In view of such submission and with liberty as prayed for, we dispose of the writ petition.

5. It is made clear that we have not expressed any opinion on the merits of the submission advanced by the learned advocate for the writ petitioner.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)