

24.03.2026
Item No. 14
Ct. No. 14
AN

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

**WPA 18829 of 2025
Pradip Kumar Murmu
vs.
State of West Bengal & ors.**

Mr. Rudranil De
Mr. Arunabha Jana
Mr. Soumo Charan

... for the petitioner

Mr. Amit Gupta
Mr. Arindam Mitra

... for the State

Mr. B. P. Vaisya
Mr. Nilay Baran Mondal

... for the DPSC, Purulia

1. Statement of facts furnished by District Inspector of Schools dated 21st August, 2025 filed by the State is taken on record.
2. By the present writ petition the petitioner seeks for direction upon the respondent authorities for grant of pension and other benefits under the service in his favour.
3. The petitioner contends that he joined as an Assistant Teacher in Deshardih Primary School on 24th September, 1987. During his service tenure, the petitioner was implicated in a criminal case being Puncha P.S. Case No. 27 dated 15th May, 2013 under Sections 498A/302/120B Indian Penal Code (in short IPC). The petitioner was put under suspension with effect from the aforesaid date i.e. 15th May, 2013. The petitioner was enlarged on bail on 29th June, 2013. On 8th August, 2014, the petitioner was allowed to join his duties with immediate effect. However,

the suspension order was not withdrawn and it was subjected to disposal of the criminal case. The petitioner was also made entitled to draw his salary which he drew just before the date of his arrest. The petitioner retired from service on superannuation on 20th December, 2021, however, the pension, retiral benefits and arrears of salary were not granted to him. Subsequent thereto, the petitioner was acquitted from the criminal case being Session Case No.33 of 2014 (S.T. No.15 of 2014) by the learned Additional Sessions Judge, 2nd Court, Purulia on 26th November, 2024. On 27th May, 2025, the petitioner made a representation before respondent no. 4, the Chairman, District Primary School Council, Purulia for release of pension and other retiral benefits, which is still pending consideration. Hence this writ petition.

4. Mr. Rudranil De, learned advocate appearing for the petitioner submits that the petitioner is entitled to pension and other retiral benefits which has not been released in his favour despite the fact that the petitioner has been acquitted from the criminal case. As on date no appeal has been preferred challenging the said order of acquittal. He seeks that the matter be relegated to the appropriate authority for due consideration of the representation of the petitioner dated 27th May, 2025, for release of pension and other retiral benefits in his favour.

5. Mr. Arindam Mitra, learned advocate representing the State respondents and Mr. Nilay Baran Mondal, learned advocate appearing for the respondent No.4, District

Primary School Council, Purulia concedes to such submission.

6. It appears from the letter of Chairman, DPSC, Purulia dated 8th August, 2014(Annexure P/2) that the petitioner was allowed to join with immediate effect. The order of suspension however, was not withdrawn and kept in abeyance till disposal of the criminal case. From the judgment of the learned Trial Court dated 26th November, 2024 (Annexure P/3) it appears that the petitioner has been acquitted from the criminal case. The statement of facts show that as the suspension order has not been withdrawn, the pension file could not be processed.

7. In view of the above, respondent no. 4, the Chairman, District Primary School Council, Purulia is directed to consider the representation of the petitioner dated 27th May, 2025 in the light of its earlier order dated 8th August, 2014 (annexure P-2) and dispose of the same in accordance with law by a passing a reasoned order upon notice to the petitioner and forward the order to the District Inspector of Schools (P.E.), Purulia for taking consequential steps for sanction of pension and other benefits to the petitioner.

8. The entire exercise should be completed within a period of eight weeks from the date of communication of this order.

9. The reasoned order shall be communicated to the petitioner within a week of passing thereof.

10. Learned advocate for the petitioner is directed to communicate this order to respondent no. 4, the

Chairman, District Primary School Council, Purulia, for necessary compliance.

11. With the above directions, the writ petition being **WPA 18829 of 2025** stands disposed of.

12. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

13. Interim order, if any, stands vacated.

14. All connected applications, if any, stand disposed of.

15. There shall be no order as to costs.

16. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

17. 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.)