

ML-531
20.02.2026
Court No.18
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 21049 of 2024

Ashis Kumar Mondal
-versus
The State of West Bengal & Ors.

Ms. Sabita Khutia (Bhunya)
Ms. Ria Bhunya
... For the petitioner

1. Affidavit of service filed in Court today is taken on record.

2. The petitioner retired from service as teacher on 28th February, 2018. His earlier wife expired on 15th September, 2010. The petitioner re-married on 11th December, 2019. He prays for inclusion of the name of his post-retiral spouse as nominee in his service records.

3. Reliance has been placed on the notification of the School Education Department being No.92-SE(B)/1M-10/2006 dated 20th March, 2006 which permits inclusion of the name of the post-retiral spouse of teachers in the service records. The representation made by the petitioner seeking such change is pending consideration in the office of the DPPG.

4. None represents the State respondents. In the absence of any representation from the State, it is not possible for the Court to decide the issue conclusively.

5. As it appears that there is a supporting notification in support of the petitioner's prayer, accordingly, the instant writ petition stands disposed of by directing the Directorate of Pension, Provident Fund and Group Insurance, Government of West Bengal, being the respondent no.3, to take necessary steps to consider the petitioner's representation in the light of the notification mentioned hereinabove at the earliest but positively within a period of eight weeks from the date of communication of this order.

6. A reasoned order shall be passed and communicated to the petitioner immediately.

7. If the prayer of the petitioner is allowed, then necessary incorporation shall be made in the service records of the petitioner without any further delay.

8. The petitioner has a further prayer. He prays for grant of benefit under ROPA 2019 in his favour.

9. As the change of nominee and benefit under ROPA 2019 are two completely separate issues, the same cannot be adjudicated in one writ petition.

10. The instant writ petition is restricted only to the prayer of the petitioner seeking change of nominee.

11. If the petitioner has any grievance regarding non-implementation of ROPA 2019 in his favour, it will be open for the petitioner to file appropriate proceeding before the competent forum in accordance with law.

12. The writ petition stands disposed of.

13. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

14. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)