

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 29047 of 2025

Goutam Mondal

v.

The State of West Bengal & Ors.

Mr. Sourav Mitra
Ms. Sreyasree Choudhury
... For the petitioner

Mr. Jaydip Basu
... For the State

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

2. The petitioner is a retired teacher of a high school. He opted to switch over to pension including family pension-cum-gratuity scheme in terms of the notification dated 13th June, 2014. The Contributory Provident Fund amount that was required to be refunded by the petitioner to the State was calculated on 14th August, 2014 by the head of the institution and the same was forwarded to the District Inspector of Schools (Secondary Education), Paschim Medinipur for authentication. The authentication was, however, done by the Additional District Inspector of Schools (Secondary Education), Kharagpur, Paschim Medinipur, on 24th February, 2016.

3. Due to the delay on the part of the respondent authorities to countersign the calculation of

the amount which the petitioner was supposed to refund to the Government, his pension file has not been made ready.

4. The petitioner made repeated representations and also approached this Court by filing a writ petition, being WPA 12940 of 2025 (Goutam Mondal v. The State of West Bengal & Ors.) which stood disposed of by the Court on 3rd July, 2025 by directing the Principal Secretary, Government of West Bengal, to decide the issue as to whether petitioner may be permitted to get the benefit of the general provident fund with pension on accepting the delayed payment of the sum as calculated.

5. The prayer of the petitioner was considered and the District Inspector of Schools, vide communicating letter dated 27th August, 2025, forwarded the pension file of the petitioner to the Director of Pension, Provident Fund and Group Insurance for sanction of pension in his favour. Till date the Pension Payment Order has not been issued.

6. The petitioner is aggrieved by the same. Prayer has been made to direct the authority to issue the Pension Payment Order in his favour.

7. It has been submitted that there was no intentional delay or laches on the part of the petitioner in refunding the amount calculated by the head of the institution. The delay took place at the end of the Additional District Inspector of Schools (Secondary

Education), Kharagpur. The petitioner ought not to suffer for any delay on the part of the respondent authorities.

8. Learned advocate representing the State is not ready with instruction.

9. As it appears that the petitioner has annexed documents in support of the submission that he opted for pension within the stipulated time period and a calculation of the amount to be refunded by the petitioner was made and forwarded to the State respondents for authentication in proper time, accordingly, the petitioner ought not to suffer on account of the delay on the part of the said respondent to authenticate the calculation forwarded by the head of the institution.

10. The petitioner has annexed documents to suggest that the District Inspector of Schools (Secondary Education), Paschim Medinipur in the communicating letter to the Deputy Director of School Education dated 1st February, 2023 admitted delay in authentication in the office of the Additional District Inspector of Schools.

11. Under such circumstances, the authority ought to accept the amount refunded by the petitioner and issue Pension Payment Order (PPO) in his favour.

12. All papers for grant of pension and issuance of PPO have been forwarded by the District Inspector of

Schools to the Director of Pension, Provident Fund and Group Insurance.

13. The Director of Pension, Provident Fund and Group Insurance is directed to take steps for issuance of PPO in favour of the petitioner for grant of pension on and from the next date of his retirement.

14. The District Inspector of Schools (Secondary Education), Paschim Medinipur and the head of the institution are directed to co-operate with the Director of Pension, Provident Fund and Group Insurance for making the pension file of the petitioner ready without any further delay.

15. The Director of Pension, Provident Fund and Group Insurance shall ensure that the PPO is issued in favour of the petitioner positively within a period of six months from the date of communication of this order.

16. The writ petition stands disposed of.

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

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

(Amrita Sinha, J.)