

S/L 19
19.06.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 29508 of 2025

Shyam Krishna Pramanick @ Shyam Krishna Pramanik
Vs.
The State of West Bengal & Ors.

Mrs. Sabita Khutia (Bhunya)

...for the Petitioner.

Mr. Madhu Jana

...for DPSC, Howrah.

1. Affidavit of service filed in Court today be kept with the records.
2. The petitioner participated in the recruitment process of primary school teacher in the year 1986, but due to prolonged litigation appointment letter was issued in favour of the petitioner in the year 2003. The petitioner has failed to serve for the qualifying period of ten years to receive pension.
3. Whether an employee would be eligible to receive pension on condoning the shortfall in the qualifying service period if the delay in issuing appointment letter was not attributable to the employee has been decided by this Court vide judgment dated 05.08.2024 in WPA 10763 of 2023 (Bansi Badan Kole Vs. The State of West Bengal and ors.).
4. It has been held that the shortfall in the qualifying service period is liable to be condoned if the delay in issuing the appointment letter is not attributable to the employee.
5. It has been submitted by the learned advocate for the petitioner that the aforesaid Bansi Badan Kole

(supra) and the petitioner participated in the same recruitment process and their names appeared in the same panel. Similar relief has been prayed as has been allowed in the case of Banshi Badan Kole (supra).

6. As it appears that the cited Banshi Badan Kole (supra) and the petitioner are on the same footing, accordingly, similar relief ought to be granted to the petitioner.

7. The District Inspector of Schools, Howrah is, accordingly, directed to grant notional benefit to the petitioner by treating him to be in service for the qualifying period of ten years.

8. The District Inspector of Schools, (Primary Education), Howrah is directed to proceed processing with the pension file of the petitioner and ensure that the petitioner receives his pension at the earliest but positively within a period of four months from the date of communication of this order.

9. It is made clear that the petitioner will not be entitled to salary for the period which he did not work and will also not be entitled to any interest for the delayed payment of pension. He will only get the benefit of ten years in service.

10. Writ petition stands disposed.

11. Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)