

Ct. 5 27.02.2026
JPD
Item No.23 Alope

In The High Court At Calcutta
In The Circuit Bench at Jalpaiguri
Appellate Side

WPA 210 of 2026

Samir Kanti Sen
Vs.
The State of West Bengal & Ors.

Mr. Biplab Kr. Sengupta
Mr. Pradip Bagchi
Mr. Chayan Moni Bhowal
Ms. Shreyasee Das
..for the petitioner

Mr. Hirak Barman
Mr. Kumar Shantanu
... for the State

Mr. Pretom Das
Mr. Abhishek Sen
... for the Municipality

1. Affidavit-of-service filed be kept with the record.
2. Report as called for in the form of affidavit is placed by the Jalpaiguri Municipality. Copy served upon the learned counsel for the petitioner.
3. It is submitted by the learned counsel for the Municipality that they are ready and willing to grant the relief of the petitioner as prayed for in the writ application. It is specifically submitted at para 15 and 16 of the said report in the form of affidavit as follows :

“15. That this Municipality has no objection whatsoever if the Directorate of Pension, Provident Fund and Group Insurance,

Uttarkanya issues the Pension Payment Order (PPO) in favour of the petitioner and he is allowed all pensionary benefits as per the applicable rules and norms.

16. That the petitioner has rendered continuous, regular and uninterrupted service under this Municipality from the date of his joining i.e. 08.09.1987 till the date of his retirement on 31.08.2022. Accordingly, the question of any overdrawal of pay does not arise, as the Municipality has accepted the validity of his service and the salary paid to him in the regular scale during the entire period of service.”

4. Accordingly, the petitioner is granted leave to add the Director, Directorate of Pension as respondent no. 6 in the present writ application.

5. Note the same in the cause title. Department to note accordingly.

6. It appears that in spite of the respondent no. 5 having forwarded all relevant documents to the respondent no. 6 and also having complied with all the requirement as directed by the respondent no. 6, it appears that the respondent no. 6 is continuing to issue the same directions without processing the petitioner's prayer for pension. The conduct of the respondent no. 6 is most unfortunate as the petitioner herein has retired in the year 2022.

7. Learned counsel for the petitioner relies upon a judgment of a Coordinate Bench in **WPA**

24135 of 2024 (Subhas Santra vs. The State of West Bengal & Ors.)

8. Accordingly, the writ application is disposed of with the direction that the respondent nos. 2 and 6 shall complete the process of grant of pension of the petitioner herein, within 30 days from the date of this order.

9. If the papers of the petitioner are found to be in order, the pension be released to the petitioner, within 30 days thereafter.

10. **Writ application stands disposed of.**

11. Connected application, if any, stands disposed of.

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

(Shampa Dutt (Paul), J.)