

49 **21.04.
2026**

Ct. No. 24

Ab

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

WPA 4255 of 2026

**Niyati Sen
Vs.
The State of West Bengal and others.**

**Mr. Sourav Mitra,
Ms. Sreeyasree Choudhury,
Mr. Sudipta Maity.**
... for the petitioner.

Ms. Nilanjana Dasgupta.
... for the State.

1. Affidavit-of-service filed in Court today is taken on record.
2. Despite service, none appears on behalf of the school authorities.
3. The petitioner, though submitted her option for enjoying benefit under the GPF Scheme but failed to refund the amount in terms of the notification published by the State Government because of acute financial distress. The petitioner presently intends to refund the said amount along with additional interest.
4. Learned advocate appearing on behalf of the petitioner relies upon the order passed by the coordinate Bench in WPA 14939 of 2024, which was passed in similar circumstances.
5. The issue is no more *res integra* as the issue has

been conclusively decided by a Division Bench of this Hon'ble Court reported in 2013 (3) CHN 714 and also in MAT 146 of 2019 (The State of West Bengal & Ors. -vs- Muktimoyee Pal (Dey) and others).

6. In view of the above, the instant writ petition is disposed of by directing the District Inspector of Schools (S.E), Purba Medinipur to consider the prayer of the petitioner for refund of the employer's share of contribution with interest and additional together with further interest @12% per annum on and from the date of notification being No.749-SE(L)/SL5S-56/13(Pt)-V dated 13th June, 2014 till the date of actual payment.

7. The amount to be refunded by the petitioner shall be calculated by the concerned District Inspector of Schools (S.E), Purba Medinipur and communicated to the petitioner for payment.

8. Upon refund of the intimated amount within a period of two weeks from the date of intimation, the petitioner's prayer for the benefit in terms of the notification dated 13th June, 2014 shall be processed and fresh pension payment order shall be issued within a period of eight weeks thereafter.

9. The pension shall be paid to the petitioner on and from the day after the date of superannuation.

10. It is made clear that the petitioner will not be

entitled to claim any interest upon the payment that will be made in terms of this order. Learned advocate appearing for the petitioner is directed to forward all documents in support of his claim to the District Inspector of Schools (S.E), Purba Medinipur at the time of communicating this order.

11. With these directions, the writ petition is disposed of. No order as to costs.

12. Urgent certified website copy of this order, if applied for, be made available to the petitioner upon compliance with the requisite formalities.

(Reetobroto Kumar Mitra, J.)