

27.01.2026

Sl. No.20

Ct. No.14

ss

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

W.P.A. No. 27975 of 2025

**Sri Ashutosh Bakhra
Versus
The State of West Bengal & Ors.**

Mr. Anil Kumar Chattapadhyaya
...for the Petitioner.

Mr. Amit Gupta
Ms. Susmita Biswas Chowdhury
...for the State.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. By the present writ petition the petitioner seeks for arrear of pension with effect from the date following the date of superannuation of the deceased employee till the date of actual effect of the pension, i.e. 25th September, 2014.
3. The petitioner contends that his father late Hrishikesh Bakhra was an Assistant Teacher in Deulpota Vivekananda Primary School, Purba Medinipur. The petitioner's father retired as Head Teacher of the said school on 14th January, 2005. Upon refund of the employer's share in Contributory Provident Fund on 26th November, 2014, the pension payment order was issued to the father of the petitioner on 19th May, 2015 with effect from 25th September, 2014. The father of the petitioner died on 20th August, 2022. The mother of the

petitioner predeceased her father and died on 6th February, 2006. The petitioner made a representation before the authority concerned on 4th November, 2025 for release of arrear of pension from the date following the date of superannuation of his father till the date of deposit. However, no steps have been taken. Hence, this writ petition.

4. Mr. Amit Gupta, learned Advocate appearing on behalf of the State submits that there is a considerable delay in raising the claim of arrear of pension from the date following the date of superannuation of the father of the petitioner. During his lifetime the father of the petitioner who is the employee did not claim such arrears. Thus, the prayer of the writ petitioner is hopelessly barred by limitation.
5. It is found that the other legal heirs of the deceased employee have not been made party in the writ petition.
6. Leave is granted to the Advocate on record for the petitioner to implead the legal heirs of the deceased employee appearing at page 16 annexure P5 to the writ petition.
7. Petitioner is directed to serve copy of the writ petition upon the added respondents through registered speed post with acknowledgement due and file affidavit of service on the returnable date.
8. List this matter on **17th February, 2026** under the same heading.

(Bivas Pattanayak, J.)