

# Banshi Badan Maity

Advocate

High Court, Calcutta

Bar Association, Room No.18

Centenary Building, 1<sup>st</sup> Floor

Kolkata – 700 001

Ph-8348580493

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Dated - 7. 3 .2024

To

The Learned Government Pleader  
High Court Calcutta  
Appellate Side

In Re: W. P. A. 6804 of 2024

*Y. Rajeshwari*

-Vs-

The State of West Bengal & Ors.

Petitioner

Respondents

Dear Sir(s),

Enclosed please find herewith a copy of the writ application under Article 226 of the Constitution of India, which will be moved before the Hon'ble Justice Rajasekhar Mantha on 11. 3 .2024 or as soon thereafter the business of the Court will permit

Acknowledge the receipt and be present at the time hearing

Thanking you,

Yours faithfully,

*B. B. Maity*

(Banshi Badan Maity)

Advocate

Encl. As above

Calcutta High Court - Appellate side

Appellate side  
Case Details

Case Type	: WPA	
Filing Number	: 6816/2024	Filing Date: 05-03-2024
Registration Number	: 6804/2024	Registration Date: 06-03-2024
CNR Number	: WBCHCA-012553-2024	

Case Status

First Hearing Date	: 11th March 2024
Next Hearing Date	: 11th March 2024
Stage of Case	: NEW MOTION
Coram	: 265701HON'BLE JUSTICE BISWAJIT BASU
Bench	: Single Bench
State	: West Bengal
District	: MEDINIPUR WEST
Judicial	: MANDAMUS SECTION
Causelist Name	: Daily List

Petitioner and Advocate

1) Y. RAJESWARI
Advocate- BANSHI BADAN MAITY

Respondent and Advocate

1) STATE OF WEST BENGAL AND ORS.
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Acts

Under Act(s)	Under Section(s)
West Bengal Board of Secondary Education Act , 1963	NA

History of Case Hearing

Cause List Type	Judge	Business On Date	Hearing Date	Purpose of hearing
Daily List	HON'BLE JUSTICE BISWAJIT BASU		11-03-2024	NEW MOTION

Orders

Order Number	Order on	Judge	Order Date	Order Details
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Category Details

Category	GROUP A (WRIT MATTERS) ( 1 )
Sub Category	Education ( 6 )
Sub Sub Category	SECONDARY EDUCATION ( 8 )
Sub Sub Sub Category	Post Retirement 120 ( 9 )

OBJECTION

Sr.No.	Scrutiny Date	OBJECTION	Compliance Date	Receipt Date
1	06-03-2024	All Objections are Complied	--	--

DISTRICT : PASCHIM MEDINIPUR

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P. A. 6804 of 2024

Subject matter relating to :

West Bengal Board of Secondary  
Education Act-1963

Secondary Education

Under Group - II Head (H) of the  
Classification List ;

Cause Title

Y. Rajeswari

... Petitioner

-Versus-

The State of West Bengal & Ors.

... Respondents

Advocate-On-Record

Banshi Badan Maity

Advocate

Bar Association, Room No.18

High Court, Calcutta.

**Ph-8348580493**

DISTRICT : PASCHIM MEDINIPUR

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P. A. of 2024

And

In the matter of :-

An application under Article 226 of  
the Constitution of India.

And

In the matter of :

Y. Rajeswari

... Petitioner

-Versus-

The State of West Bengal & Ors.

... Respondents

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DISTRICT : PASCHIM MEDINIPUR

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
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W.P. A. of 2024

And

In the matter of :-

An application under Article 226 of  
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And

In the matter of :

Y. Rajeswari

... Petitioner

-Versus-

The State of West Bengal & Ors.

... Respondents

List Of Dates

30.11.2022	: Petitioner retired from her service.
4.10.2023	: Deposited the amount
5.12.2023	: Pension Payment Order issued.

Points Of Law Involved

- I. Whether after cessation of employer-employee relationship, recovery can be made ?
- II. Whether the petitioner can be made liable for the mistake of the respondents ?
- III. Whether the respondents can act in derogation to the statutory provisions ?

DISTRICT : PASCHIM MEDINIPUR

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P. A. of 2024

And

In the matter of :

Y. Rajeswari

... Petitioner

-Versus-

The State of West Bengal & Ors.

... Respondents

Synopsis

Petitioner is claiming the overdrawn amount or excess amount paid due to wrong fixation done by the respondent authorities in the verge of the retirement or after retirement. Petitioner is relying the Judgment of Rafiq Masih reported in (2015) 1 Supreme To day 671 (State of Punjab & ors - Vs- Rafiq Masih (white washer) etc)

Short-List Of Dates

30.11.2022	: Petitioner retired from her service.
4.10.2023	: Deposited the amount
5.12.2023	: Pension Payment Order issued.

DISTRICT : PASCHIM MEDINIPUR

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P. A. 6804 of 2024

In the matter of :

An application under Article 226 of  
the Constitutional of India ;

And

In the matter of :

Y. Rajeswari, daughter of late Y,  
Appa Rao, residing at 1/OS/46,  
Unit 15, Old Settlement,  
Kharagpur P.O. –Kharagpur,  
District- Paschim Medinipur. Pin-  
721301.

... Petitioner

-Versus-

1. The State of West Bengal,  
Service through the Secretary,  
Department of School Education  
Government of West Bengal, Salt  
Lake City, Kolkata – 700 091.

2. The Director of Pension,  
Provident Fund and Group  
Insurance Purta Bhavan, 2<sup>nd</sup> Floor,  
Salt Lake City, Kolkata – 700 091.

3. The Treasury Officer,  
Kharagpur P.O.- Kharagpur  
District – Paschim Medinipur. Pin-  
721301

4. The District Inspector of  
Schools, (S.E) Paschim Medinipur,  
P.O.- Midnapur (Town) District –  
Paschim Medinipur. Pin- 721101

... Respondents

To

The Hon'ble T. S. Sivagnanam, Chief Justice and His Companion  
Justices of the said Hon'ble Court.

The humble petition on behalf of the  
petitioner abovenamed –

Most respectfully Sheweth :

1. That the petitioner is a law abiding Citizen of India and resides at the address given in the cause title.
2. That the petitioner was an approved Assistant Teacher of Andhra High School, at P.O. -Kharagpur District- Paschim Medinipur, (hereinafter referred to as the said School).
3. That having rendered long Service, the petitioner retired from service on 30.11.2022.
4. That in the midst of such service, the petitioner was granted periodically increments which stood endorsed in the Service Book and approved by the appropriate authority. Furthermore the petitioner's



scale of pay was revised and fixed in the appropriate scale under the respective Revision of Pay & Allowance Rules on the basis of the option exercised by the petitioner and approved by the competent authority.

5. That thus towards grant of the increments, and fixation of the scale of pay under the respective Revision of Pay & Allowances Rules, the petitioner had no role to play and was not a party to the process of such re-fixation in as much as such grant of increments and re-fixation was made and approved by the competent authority being the respondent No.4 herein.

6. That Petitioner was informed by the office of the concerned District Inspector of Schools, that certain amount has been paid as excess on account of overdrawal for wrong fixation certain amount petitioner has to deposited for disbursement of his entire pensionary benefit.

7. That every employee on the verge of the retirement /after retirement very anguses for his/her disbursement entire pensioner benefit. If the employee not deposited the amount, the respondent authority may not sanction the entire pensionary benefit. The respondent authority particularly the concerned District Inspector of Schools, asked to refund on amount of Rs. 1,96,467.00 for the reason stated in paragraph 8a of the T.R Form and the petitioner deposited the same to the concerned treasury officer. Accordingly petitioner on 4.10.2023 deposited the said amount through treasury challan on account of refund of overdrawal amount .

The copy of the said Treasury Challan from is annexed hereto and marked with the letter P-1.

8. That the deducted amount is a part of the retiral benefits amount and if it is illegally deducted or with-held by the respondents authorities

without showing any reason the amount should be paid with interest. The amount itself to be consider as a unpaid pensionary benefit amount. There cannot be any limitation for claiming that unpaid pensionary benefit amount. The respondents state cannot take the plea of delay in approaching the court, since they have illegally enjoyed the amount.

9. That in terms of the pension scheme though the petitioner discharged all his obligations within time frame as specified, a delay was perpetrated by the respondents and the Pension Payment Order ultimately issued after retirement of the petitioner vide Memo dated 5.12.2023 issued by the respondent No.2.

A copy of the said pension payment order is annexed and marked with letter "P-2".

10. The petitioner came to know from the office of the respondents that an amount of Rs. 1,96,467.00 calculated as overdrawn amount, accordingly petitioner deposited the overdrawn amount Rs, 1,96,467.00 through Treasury challan on 4.10.2023. The said challan has been duly countersigned by the concerned District Inspector of School.

11. That prior to such deduction and calculation of the alleged overdrawn amount, the petitioner was never granted any opportunity of hearing neither informed or any show-cause notice issue, the entire suo moto action on the part of the respondents smacks of blatant violation of the principles of natural justice.

12. That only on 18.12. 2014 the said matter finally decided by the Hon'ble Apex Court summaries the situation, where in recovery by the authorities are imperishable in law. That our Hon'ble High Court also

on 27.4.2015 decided the issue following the Supreme Court Judgments.

13. That delay in approaching the writ jurisdiction is not cover by the Limitation Act. The amount lies with the Government is a valuable property of the petitioner. The state respondents did not suffer any loss due to delay in approaching the court by the petitioner for the relief claimed by his in the writ petition .On the contrary, the state respondents were benefited for such delay in approaching the court by the petitioner, as the state respondents morally enjoyed the petitioner's money which ought have been paid to the petitioner by the state-respondents immediately after his retirement. Accordingly petitioner is entitled to get the overdrawal amount along with the interest with effect from the date of retirement.

14. That the quantum of delay consider in different times in different court of law and the point is settled that point of delay is not a rule of law but a rule of practice . In these type of cases Hon'ble Court in different occasions granted relief directing the respondents to pay the overdrwal amount with interest in spite of the delay. That in terms of the recent Judgment reported in (2015) I Supreme To day 671 (State of Punjab & ors - Vs- Rafiq Masih (white washer) etc). The respondent authority is also --- from taking any steps for recovery of any amount on account of overdrawal in pay and allowance. Paragraphs in at pages 19 and 20 of the aforesaid decision is quoted below.

" 12. It is not possible to postulate all situations of hardship, which would govern employees on the issue recovery, where payment have mistakenly been made by the employer, in excess of their entitlement. Be that it say, based on the decision referred to herein above, we may, as a ready reference, summarise the

following few situations, wherein recoveries by the employers, would be impermissible in law.

- (i) Recovery from employees belonging to Class-III and Class- IV service (or Group "C" and Group 'D' service)
- (ii) Recovery from retired employees, or employees who are due to retire within one year, of the order of recovery.
- (iii) Recovery from employees when the excess payment has been made for a period in excess of five years, before the order of recovery is issued.
- (iv) Recovery in cases where in an employee has wrongfully been required to discharge duties of a higher post and has been paid accordingly, even though he should have rightfully been required to work against an inferior post.
- (v) In any other cases, where the Court arrives at the conclusion, that recovery if made from the employee , would be iniquitous or harsh or arbitrary to such an extent, as would far outweigh the equitable balance of the employer's right to recover."

15. That the question of recovery of any alleged overdrawn amount from the pensionary benefits of the petitioner does not arise in as much as it is a settled principle of law that after cessation, relationship amongst the employer and the employee, the employer cannot recover and amount from the retrial dues. In the present case petitioner also not known the reason for said deduction.

16. That the petitioner is in no way responsible for any erroneous fixation of scale of pay and the respondents who are at fault, cannot be

allowed to recover the said amount from the retrial dues of a retired person and that part, the question of limitation and estoppel are also relevant consideration which all stands in the way of such recovery.

17. That upon application of the equitable considerations, the Hon'ble Apex Court of our country had declared that any amount paid in excess cannot be recover from the retrial dues when the retired person is not responsible in any way for payment of such overdrawal amount. Your petitioner craves leave to refer or to produce the judgement of the Hon'ble Apex Court and/or High Court at the time of hearing, if necessary.

18. That the retired persons always shows that eagerness to get their retrial dues settled at an early date and with the usual anxieties and worries, the retired persons after give such undertaking and/or declaration in expectation of early settlement of their retrial dues but the State being a Model employer, cannot take advantage of such undertaking and/or declaration to recover any overdrawn amount and furthermore under the extant pension scheme, no such undertaking and/or declaration in contemplated.

19. That the purported sanction and approval of re-fixation and incremental grant made decades ago cannot be allowed to be scrutinized and re-open for, recovery and the clock cannot be said right anticlockwise after decades to the prejudice of a retired incumbent. Accordingly petitioner is entitled to get the pay and pension as per the last pay drawn by the petitioner.

20. That the illegal calculation and recovery of an alleged overdrawn amount being abrupt and hasty and being without grant of a prior opportunity of hearing, is nothing but a punishment imposed upon an employee after cessation of employer-employee relationship and as such

the recovery made in without jurisdiction and malafide and the respondents are liable to repay the alleged overdrawn amount of Rs. 1,96,467.00 along with penal interest to the petitioner and refix the pension as per the last pay drawn by the petitioner with all arrear benefits.

21. That under the pension scheme, the petitioner become entitled to pension on and from the date after superannuation but in the instant case there had been a delay towards the disbursement of such pensionary benefits in as much as through the petitioner was retired on 30.11.2022 the pensionary benefits was actually sanctioned by issuance pension payment Order on 5.12.2023 and for the said delay perpetrated by the respondents, the petitioner is entitle to penal interest.

That the delay in filing the writ application cannot be ground for rejection of the claim of the petitioner because the persons who has wronged or deprived of legitimate use of money by way of non-payment or deduction from the terminal benefits within time.

As due to delay caused by the petitioners in invoking writ jurisdiction, the respondents, particularly the authorities under the Scheme are not being prejudiced, thus the delay, even there be any, is not at all fatal.

Under the scheme even under modified scheme no provision has been laid down for seeking interest on retrial benefits at the instance of beneficiaries and the petitioner is claiming interest for the alleged overdrawn amount and the arrear pension.

By not paying the deducted amount with interest to which the retiring employee was legally and legitimately entitled to the deducted

amount with interest amount as a matter of fact remained with the Government and it is the Government which has used this amount of interest and is continuing to do so. Any money not belonging to the government cannot legally be kept in its custody and utilized by it. It cannot be said that the said money is lying stagnant. The benefit of such utilization of money by the Government must therefore go to the writ petitioners since it is the money belonging to the writ petitioners.

Your petitioner craves leave to refer or to produce the judgment of the Supreme Court and the recent order of the Hon'ble High Court in this subject matter at the time of hearing if necessary.

22. Being aggrieved by and dissatisfied with the illegal recovery of an alleged overdrawn amount from the pensionary benefits of the petitioner and other purported illegalities and irregularities practiced by the respondents, your petitioner begs to prefer the instant application under Article 226 of the Constitution of India on the following amongst other –

#### G R O U N D S

- I. For that thus towards grant of the increments, and fixation of the Scale of pay under the respective Revision of Pay and Allowances Rules, the petitioner had no role to play and was not a party to the process of such fixation in as much as such grant of increments and refixation was made and approved by the competent authority being the respondent No.3 herein.
- II. For that prior to such deduction and calculation of the alleged overdrawn amount, the petitioner was never granted any opportunity of hearing the entire suo moto action on the part of

the respondents smacks of blatant violation of the principles of nature justice.

- III. For that the question of recovery of any alleged overdrawn amount from the pensionary benefits of the petitioner does not arise in as much as it is a settled principle of law that after cessation, relationship amongst the employer and the employee, the employer cannot recover any amount free the retrieval dues.
- IV. For that the petitioner is in no way responsible for any erroneous fixation of Scale of pay and the respondents who are at fault, cannot be allowed to recover the said amount from the retrieval dues of a retired person and that apart, the question of limitation and estoppel and also relevant consideration which all stands in the way of such recovery.
- V. For that upon application of the equitable considerations, the Hon'ble Apex Court of our country had declared that any amount paid in excess cannot be recovered from the retrieval dues when the retired person is not responsible in any way for payment of such overdrawal amount.
- VI. For that the retired persons always show their eagerness to get their retrieval dues settled at any early date and with the usual anxieties and worries, the retired persons after give such undertaking and/or declaration in expectation of early settlement of their dues but the state being a Model employer, cannot take advantage of such undertaking and/or declaration to recovery any overdrawn amount and further more under the extent pension scheme, no such undertaking and/or declaration in contemplated.



- VII. For that the purported sanction and approval of re-fixation and incremental grant made decades ago cannot be allowed to be scrutinized and re-open for recovery and the clock cannot be said right anticlockwise after decades to the prejudice of a retired incumbent.
- VIII. For that the illegal calculation and recovery of an alleged overdrawn amount being abrupt and hasty and being without grant of a prior opportunity of hearing, is nothing but a punishment imposed upon an employee after cessation of employer-employee relationship and as such the recovery made is without jurisdiction and malafide and the respondents are liable to repay the alleged overdrawn amount of Rs. 1,96,467.00 along with penal interest to the petitioner.
- IX. For that under the pension scheme, the petitioner become entitled to pension on and from the date after superannuation but in the instant case there had been a delay towards the disbursement of such pensionary benefits in as much as through the petitioner was retired on 30.11.2022 the pensionary benefits was actually sanctioned on 5.12.2023 and for the said delay perpetrated by the respondents, the petitioner is entitled to penal interest.
- X. For that delay in approaching the writ jurisdiction is not cover by the Limitation Act. The amount lies with the Government is a valuable property of the petitioner. The state respondents did not suffer any loss due to delay in approaching the court by the petitioner for the relief claimed by his in the writ petition .On the contrary, the state respondents were benefited for such delay in

approaching the court by the petitioner, as the state respondents morally enjoyed the petitioner's money which ought have been paid to the petitioner by the state- respondents immediately after his retirement. Accordingly petitioner is entitled to get the overdrawal amount along with the interest with effect from the date of retirement.

- XI. For that only on 18.12. 2014 the said matter finally decided by the Hon'ble Apex Court summaries the situation, where in recovery by the authorities are imperishable in law. That our Hon'ble High Court also on 27.4.2015 decided the issue following the Supreme Court Judgments.
- XII. For that the deducted amount is a part of the gratuity amount and if it is illegally deducted or with-held by the respondents authorities without showing any reason the amount should be paid with interest. The amount itself to be consider as a unpaid gratuity amount. There cannot be any limitation for claiming that unpaid gratuity amount. The respondents state cannot take the plea of delay in approaching the court, since they have illegally enjoyed the amount.
- XIII. For that in terms of the recent Judgment reported in (2015) 1 Supreme To day 671 (State of Punjab & ors - Vs- Rafiq Masih (white washer) etc). The respondent authority is also --- from taking any steps for recovery of any amount on account of overdrawal in pay and allowance . Paragraphs in at pages 19 and 20 of the aforesaid decision is quoted below.

"12. It is not possible to postulate all situations of hardship, which would govern employees on the issue recovery, where

payment have mistakenly been made by the employer, in excess of their entitlement. Be that it may, based on the decision referred to herein above, we may, as a ready reference, summarise the following few situations, wherein recoveries by the employers, would be impermissible in law.

(i) Recovery from employees belonging to Class-III and Class-IV service (or Group "C" and Group 'D' service)

(ii) Recovery from retired employees, or employees who are due to retire within one year, of the order of recovery.

(iii) Recovery from employees when the excess payment has been made for a period in excess of five years, before the order of recovery is issued.

(iv) Recovery in cases where an employee has wrongfully been required to discharge duties of a higher post and has been paid accordingly, even though he should have rightfully been required to work against an inferior post.

(v) In any other cases, where the Court arrives at the conclusion, that recovery if made from the employee, would be iniquitous or harsh or arbitrary to such an extent, as would far outweigh the equitable balance of the employer's right to recover."

24. That it is incumbent upon the respondents to act in accordance with law.

25. That the petitioner has no other alternative remedy and remedy sought will give your petitioner, speedy and efficacious remedy.

26. That the petitioner has demanded justice but justice has been denied.

27. That the records of the case are lying outside the Original Side Jurisdiction of the Hon'ble Court.

28. That the petitioner has not preferred any other application on the self same facts and cause of action.

29. Until and unless the respondents are directed to repay the alleged overdrawn amount of Rs. 1,96,467.00 to the petitioner along with the interest @ 18% annum from the date of retirement of the employee concerned till the date of actual disbursement and to grant interest @ 18% per annum on the delayed disbursement of the arrear pensionary benefits on and from the date of retirement till the date of actual disbursement to the petitioner forthwith without any hindrance from any quarters, your petitioner will suffer irreparable loss and injury.

30. That the application is made bonafide and for the ends of justice.

Under the circumstances, your petitioner humbly prays that Your Lordship would graciously be pleased to issue -

a) A writ in the nature Mandamus commanding the respondents, their agents and servants to repay the alleged overdrawn amount of Rs. 1,96,467.00 to the petitioner along with the interest @ 18% per annum from the date of retirement to till the date of actual disbursement.

b) A writ in the nature of Certiorari directing the respondents, their agents and servants to produce all records and proceedings so that conscionable justice may be administered by granting the reliefs as prayed for hereinabove ;

c) Rule in terms of prayers (a) and (b) as above ;

d) Ad-interim order directing the respondents, their agents and servants to repay the alleged overdrawn amount of Rs. 1,96,467.00 to the petitioner along with the interest @ 18% per annum from the date of retirement to till the date of actual disbursement.

e) And to pass such other or further order or orders as the Your Lordships may deem fit and proper.

And your petitioner, as in duty bound, shall ever pray.

## AFFIDAVIT

I, Y. Rajeswari, daughter of late Y, Appa Rao, aged about 62 years, by faith – Hindu, by Occupation – Retired Person, residing at 1/OS/46, Unit 15, Old Settlement, Kharagpur P.O. –Kharagpur, District- Paschim Medinipur. Pin- 721301, do hereby solemnly affirm and say as follows :-

1. That I am the petitioner in this case and as such I am well acquainted with the facts and circumstances of the above case.
2. That the statements made in paragraphs 1 to 9 are true to my knowledge and the rest are my humble submission before this Hon'ble Court.

Prepared in my Office

*Mr. Bonshu Badan Meut*  
Advocate (F/796/2016)

*gsh*  
Deponent is known to me

*gsh*  
Advocate

Solemnly affirmed before me on  
this the *5th* day of March 2024.

COMMISSIONER

2924

Answer P. 1

পশ্চিমবঙ্গ সরকারের খাতে টাকা জমা দিবার চালান

Rly Stn, Maharaja

- 8b. T.V. No. and Date of A.C. Bill / টি. ভি. নং এবং এ. সি. বিলের তারিখ :

Accountant General (A & E), West Bengal  
মহাগণনিক (হিসাব ও ইক), পশ্চিমবঙ্গ

Kari Välikannas Aaro

Teacher-in-Charge  
Depositors Signature School (H.S.)  
Anandri High School  
আমানদারী হাইস্কুল  
KPLRAGPUR (WB)

Treasury Receipt Challan No. 7 ট্রেজারী গৃহীত চালান নং

Bank Scroll Serial No. / ব্যাঙ্কের স্ক্রলের অন্তিমিক নং

Signature with Seal of the Bank

Date / তারিখ

\*In respect of Challan relating to refund of unspent amount of  
এ. সি. বিলে উল্লিখিত অগ্রিমের অবশিষ্ট অর্থ ফেরত দেওয়ার চাহান্নের

**Bharat Stationers, 15 College Square, Kolkata - 73, Phone: 2241-9575 / 6838 / 6837**

Dr. Hari Shankaran Rao  
Teacher-in-Charge  
Kharagpur Andhra High School (H.S.)  
Kharagpur

DIRECTORATE OF PENSION, PROVIDENT FUND AND GROUP INSURANCE  
FINANCE DEPARTMENT, GOVERNMENT OF WEST BENGAL  
PURTA BHAVAN, 2nd FLOOR, SALT LAKE, KOLKATA-700 091  
e-Pension Payment Order

18

Amu P. 2

TO,  
THE TREASURY OFFICER, KHARAGPUR

TREASURY CODE : MIF

HEAD OF A/C: 207101109001V04, ROPA: 2019

APPL NO: 12022202361, PPO NO: 12022020230286, MEMO NO: SEC/WMD/23/F/1412, DATE: 05-Dec-2023

A. SERVICE PENSION AND/OR DEATH/RETIRING GRATUITY

NAME: Y RAJESWARI  
DOB: 02-Nov-1962, DOR: 30-Nov-2022  
DEPARTMENT: SCHOOL EDUCATION DEPARTMENT  
FIRST DATE OF ENTRY INTO APPROVED SERVICE: 03-Oct-1997  
POST HELD ON THE LAST DATE OF SERVICE: ASSISTANT TEACHER  
LAST PAY: Rs. 60900, SCALE/LEVEL OF PAY: Level-12-PB4-RS-9000-40500-GP-RS-4400  
QUALIFYING SERVICE: 25(Y)1(MM)28(DD), AADHAR NO.: 870660636063, MOBILE NO.: 7047587455  
ADDRESS: 1/OS/46, UNIT-15, OLD SETTLEMENT, KHARAGPUR, KHARAGPUR, NA, WEST MIDNAPORE, West Bengal, 721301  
PENSION SANCTIONING AUTHORITY: D.I.S. SEC. EDN. PASCHIM MEDINIPUR  
Option to DCRB scheme: PENSION INCLUDING FAMILY PENSION CUM GRATUITY  
WHETHER PROVISIONAL PENSION IS RUNNING: NO



A. PENSION AMOUNT Rs. 30450 (Thirty Thousand Four Hundred Fifty only) WEF: 01-Dec-2022 Upto:

GROSS RETIRING GRATUITY Rs. 784088 (Seven Lac Eighty-Four Thousand Eighty-Eight only)

NET RETIRING GRATUITY Rs. 784088 (Seven Lac Eighty-Four Thousand Eighty-Eight only)

CASE DEDUCTIONS > GROSS RETIRING GRATUITY, AMOUNT TO BE DEDUCTED FROM PENSION/FP/RELIEF Rs. 0 (NIL)

B. FAMILY PENSION (EFFECTIVE FROM DATE FOLLOWING THE DATE OF DEATH OF INCUMBENT)

NOT APPLICABLE

C. COMMUTED VALUE OF PENSION-PAYABLE AFTER FIRST PAYMENT OF PENSION

- (C.1). AMOUNT COMMUTED Rs. 12180 (Twelve Thousand One Hundred Eighty only)  
(C.2). AGE ON NEXT BIRTHDAY: 61Y  
(C.3). PAYABLE C.V.P AMOUNT: Rs. 1197635 (Eleven Lac Ninety-Seven Thousand Six Hundred Thirty-Five only)  
(C.4). REDUCED AMOUNT OF PENSION PER MONTH: Rs. 18270 (Eighteen Thousand Two Hundred Seventy only)

O. NOMINATION

LIFE TIME ARREAR OF PENSION

SL.	NAME	SHARE	RELATION	ADULT/MINOR
1	Y KRISHNA RAO	100%	OTHER	ADULT

DEATH - CUM - RETIRING GRATUITY PAYABLE TO

SL.NO	NAME	SHARE	RELATION	ADULT / MINOR
1	Y RAJESWARI	100%	SELF	ADULT

E. PENSION/ CONSOLIDATION OF PENSION / FAMILY PENSION AS APPLICABLE

PENSION

ROPA	AMOUNT	FROM	TO
2019	30450	01-Dec-2022	-

Y. Rajeswari  
✓  
RECEIVED PERSONALLY AND  
SIGNED BY MY PRESENCE  
Addl. Try. Officer (Pen)  
8/12/23  
8/12/23



DISTRICT : PASCHIM MEDINIPUR

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P. A. 6864 of 2024

In the matter of :

An application under Article 226 of  
the Constitutional of India ;

And

In the matter of :

Y. Rajeswari

... Petitioner

-Versus-

The State of West Bengal & Ors.

... Respondents

✓  
Sant  
7/3/2024  
8016673552  
✓

PETITION

Banshoi Badan Maity  
Advocate  
(F./796/2016)  
Bar Association, Room No.18  
High Court, Calcutta.  
**Ph-8348580493**