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akb Ct. No. 2

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A. 792 of 2019
Smt. Parbati Deb
-Versus-
The State of West Bengal & Ors.

Mr. Arijit Ghosh

...For the Petitioner

Mr. Hirak barman
Ms. Bedashruti Bose

...For the State Respondents

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the inaction on the part of the respondent authorities in disbursing of family pension and death-cum-retiral benefits including arrears as well as interest in favour of the petitioner, being the aged widowed lady of a deceased assistant teacher.

It is submitted on behalf of the petitioner that the husband of the petitioner died on October 09, 2001. The case of the petitioner is that after the death of the husband, Pension Payment Order was issued but payment of pension has not been granted till date. Learned Counsel submits that gratuity amount has been paid in the year 2007 but subsequent monthly pension has not been received by the petitioner.

Learned Counsel appearing on behalf of the District Inspector of Schools (P.E.), Alipurduar, being the respondent No. 4 submits that in spite of several requests made to the concerned District Inspector of Schools (P.E.), no instruction has been received from his end. In the light of the same, learned Counsel submits that the Court may pass any directions it deems fit.

In the light of the above submissions and the factual matrix I am of the view that the District Inspector of Schools (P.E.), Alipurduar, being the respondent No. 4 should pass a reasoned order after granting an opportunity of hearing upon the representation made by the learned Advocate of the petitioner dated September 12, 2019 within a period of four weeks from the date of communication of this order.

Respondent No. 4 is also directed to communicate the reasoned order to the petitioner within a week from the date of passing the reasoned order.

With the aforesaid observation, the writ petition is disposed of.

Since, no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Shekhar B. Saraf, J.)