

14.10.2020
Item No.12
Ct. No.10
CHC

**W.P.A.19589 of 2019
[W.P.19137 (W) of 2019]
C.A.N.1 of 2020 (Old No.5252 of 2020)
(CAN is not in the file)**

(Via Video Conference)

**Parbati Patra
Vs.
The State of West Bengal & ors.**

Mr. Shamimul Bari,
Ms. Molly Saha
...for the petitioner

Mr. Pinaki Dhole
...for the State

Mr. Sarwar Jahan
...for the respondent nos.6 and 7

Petitioner seeks family pension as well as death benefits of the deceased school teacher.

Learned advocate appearing for the petitioner submits that, subsequent to the filing of the writ petition, the school authorities wrote to the petitioner claiming that there are outstanding on account of loan allegedly taken by the deceased from the Cooperative Society. He submits that, without entering into the dispute as to whether such loan was taken and whether such loan was repaid or not, it would be appropriate that the school authorities

adjust the amount receivable on account of loan from the pensionary and death benefits of the deceased teacher.

School and the State authorities are represented.

In the facts of the present case, since the petitioner is yet to receive the pensionary and death benefits of the deceased school teacher from the date of death on April 21, 2019, it would be appropriate to direct the concerned District Inspector of Schools (S.E.) to quantify the pensionary and the death benefits receivable by the petitioner on account of the deceased school teacher within a period of fortnight from the date of communication of this order to him. He will provide for the deduction of the loan amount taken by the deceased school teacher. He will ensure that the balance is disbursed to the petitioner, in accordance with the law.

In calculating the loan amount, the pensionary and the retiral benefits, the District Inspector of Schools (S.E.) will afford a reasonable opportunity of hearing to the petitioner as also to the school authorities.

W.P.A.19589 of 2019 is disposed of.

(Debangsu Basak, J.)