

32
SK
Ct. No. 12
23.09.2020

**W.P.A. 7178 of 2020
CAN 1 of 2020
(Via Video Conference)**

**Chunilal Mukhopadhyay
Vs.
The State of West Bengal & Ors.**

Ms. Bratati Dutta ... For the petitioner.

Mr. Supriyo Chattopadhyay,
Mr. Gourav Das ... For the State.

The father of the petitioner was an Assistant Teacher of Sagardanga Primary School, District Bankura.

On his death and on the death of his widow the petitioner claiming to be the handicapped dependent son of the said teacher applied for family pension in terms of the Government Order bearing Memo No. 378-SE(B)/1M-43/2003 dated July 28, 2008.

The petitioner is complaining inordinate delay in disposing his said application.

Mr. Supriyo Chattopadhyay, learned counsel appearing on behalf of the State respondents submits that if the petitioner is otherwise found to be eligible to get such pension his prayer would certainly be considered.

W.P.A. 7178 of 2020 is disposed by directing the pension sanctioning authority, i.e. the District Inspector of School, Bankura, the respondent no. 3 herein to consider the representation of the petitioner appearing as Annexure 'P-7' to the writ petition within four weeks from the date of communication of this order and to pass a reasoned order after giving the petitioner an opportunity of being heard.

The petitioner is required to serve a copy of the writ petition along with the copy of this order upon the said respondent immediately.

It is made clear that this Court has not gone into the merit of the claim of the petitioner, it is for the respondent no. 3 to decide the same in accordance with law.

The connected urgency application being CAN 1 of 2020 is disposed of accordingly.

No order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)