

18.11.2020
suman/
Mithun 17
Ct.27

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

WPA 7782 of 2020
With
CAN 01 of 2020

Sushila Lakra
Vs.
Bank of Baroda & Ors.

Ms. Sharmistha Podder
..for the petitioner

The petitioner undertakes to appropriately stamp the petition as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

Though the respondents are not represented by their learned advocate at the time of hearing of the instant writ petition, this Court is of the view considering the nature of the prayer of the petitioner that the instant writ petition can be disposed of even without hearing the respondents in accordance with law without hampering their interest.

The petitioner is the legally married wife of one late Pradeep Kumar Lakra who died in the year 2008. Said Pradeep Kumar Lakra was an employee of Bank of Baroda, Kashia Danga Branch, Murshidabad. After his death the wife of the above named employee did not get any pension. After running from pillar to post without any fruitful result, the petitioner finally moved this in constitutional writ jurisdiction which was registered as W.P. 2157(W) of 2019. The said writ petition was disposed of on 2nd August, 2019 by a Co-ordinate Bench with the following order quoted below:

"Keeping in view the fact that the petitioner is suffering from certain medical ailments and she requires the money for her treatment and also that her sons are pursuing their studies and she requires the money for their education, as a special case, the respondent Bank is directed to consider the case of the petitioner for grant of family pension. The case at hand will not create any precedence and may not be relied upon in any future case.

The Bank shall consider the prayer of the petitioner within a period of four months from the date of communication of a copy of this order and

thereafter intimate the petitioner the formality that she has to comply for the purpose of obtaining the family pension.”

Now, the grievance of the petitioner is that though the Bank Authority has been paying family pension the petitioner has not received any arrear pension from the date of death of her husband till date. The rate of family pension has also not been revised by the respondent Bank.

The petitioner made a representation on 22nd June, 2020 through her learned advocate but the respondent authority failed and neglected to consider the said representation.

In view of such circumstances, the instant writ petition is disposed of directing the respondents to take positive decision on the representation dated 22nd June, 2020 within two months from the date of this order and communicate the decision of the respondents on the matter of payment of arrear pension and revision of pension amount to the petitioner immediately on disposal of the representation.

The petitioner is at liberty to communicate the server copy of this order to the respondents along with a forwarding letter of the advocate on record for information and compliance.

WPA 7782 of 2020 along with CAN 01 of 2020 are disposed of.

(Bibek Chaudhuri, J.)