

15
18.02.2020.
d.p.

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

W.P.A. 307 of 2020

**Monika Roy
-versus
The State of West Bengal & Ors.**

**Ms. Sabita Khutia (Bhunya).
...For the Petitioner.**

**Mr. Bikramaditya Ghosh,
Mr. Momenur Rahman.
...For the State.**

The petitioner is an unmarried daughter of a deceased employee of Ambari Falakata Rural Library. The employee received pension after his superannuation and he died on 16th January, 2012. After his death his widow received family pension and she expired on 10th August, 2012.

The petitioner claims that as per the memorandum bearing No. 503/MEE/Sectt./EM/O/5L-116/2014 dated 30th July, 2018, she being an unmarried daughter is entitled to receive family pension.

The petitioner had applied before the respondent authorities by a letter dated 24th December, 2019 which was received by the office of the respondents on 7th January, 2020 praying for releasing the family pension in her favour. The said representation has not been considered by the respondents till date.

According to the aforesaid memo, the benefit of family pension is to be allowed even after the unmarried daughter attains the age of 25 years till her marriage or death whichever is earlier subject to certain condition. As the petitioner claims that she is unmarried, her prayer for receiving family pension is liable to be considered in terms of the aforesaid memorandum.

Accordingly, the instant writ petition is disposed of by directing the respondent no. 2 being the Director of Pension, Provident Fund and Group Insurance to consider the prayer of the petitioner for grant of family pension in the light of the aforesaid memorandum dated 30th July, 2018 within a period of eight weeks from the date of communication of a copy of this order.

It is made clear, that this court has not gone into the merits of the case and all points are left open to be decided by the said respondent at the time of consideration of the representation of the petitioner.

W.P.A. 307 of 2020 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)