

**Circuit Bench of Calcutta High Court
at Jalpaiguri**

³²
sm **24.02.
2020**

W.P.A. 573 of 2020

**Smt. Piyali Ray Barman
Versus
The State of West Bengal & Ors.**

Mr. Debajit Kundu.
.....for the petitioner.

Mr. Bikramaditya Ghosh,
Mr. Momenur Rahaman.
.....for the State.

Affidavit of service file in Court be taken on
record.

The husband of the petitioner was serving as Assistant Teacher in a school. He died in harness on 16th December, 2019. Immediately of his death the petitioner applied before the school for forwarding the papers to the Director of Pension, Provident Fund and Group Insurance and the District Inspector of Schools for the purpose of grant of family pension, provident fund and gratuity in her favour. The same remains unanswered till date.

The petitioner through her learned advocate made a further representation by a letter dated 13th January, 2020 to the respondents with a request for disbursing the Provident Fund, gratuity and family pension in her favour. The petitioner complains that the said representation has not been considered by the respondents till date.

The petitioner has annexed the relevant circulars according to which she claims that the aforesaid dues are required to be paid in her favour.

As it appears that the representation of the petitioner is pending consideration at the end of the respondents for a consideration period of time no useful purpose will be served by keeping the writ petition pending.

The same is accordingly disposed of by directing the District Inspector of Schools (Secondary Education) Cooch Behar, to take necessary steps to forward the documents relating to the claim of the petitioner to the office of the Director of Pension, Provident Fund and Group Insurance, Uttar Kanya, Siliguri within a period of six weeks from the date of receipt of a copy of this order.

The respondent no.3 being the Director of Pension, Provident Fund and Group Insurance, Uttar Kanya, Siliguri shall take a decision with regard to the prayer of the petitioner for releasing the Provident Fund, Gratuity and Pension within a period of eight weeks thereafter and communicate the same to the petitioner within a fortnight thereafter.

WPA No.573 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.)