

21-01-2021
ct no. 13
Sl.73
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WPA 249 of 2021

Shyam Sundar Kuity (Thanadar)

-Versus-

State of West Bengal & Ors.

(Via Video Conference)

**Mr. Arindam Sen,
Mr. Sandeep Prasad Shaw**

...for the petitioner

**Mr. Joytosh Majumder, Id. G.P.,
Mr. Raja Saha,
Mrs. Kakali Samajpati**

...for the State

The petitioner claims that he is an adopted son of a deceased employee of the BDO, Midnapur Sadar Block, Paschim Medinipur called Shyam Sundar Kuity (Thanadar). He claims family pension on account of the deceased.

Apart from the fact that it is highly questionable as to whether the petitioner by reason of any family settlement, decree or probate can seek pension on account of a deceased Government employee. This Court is of the view that the matter is within the jurisdiction of the State Administrative Tribunal.

The petitioner may approach the tribunal on the self-same cause of action within a period of one month from date.

With the aforesaid observation, the writ petition is dismissed with liberty reserved to the petitioner as above.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this judgment, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)