

10.02.2021
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W.P.A. 3620 of 2021

(Through Video Conference)

Jharna Dey

Vs.

The State of West Bengal & ors.

Mr. Dipan Sarkar

Mr. Dinabandhu Dan

Mr. Dipankar Ghosh

Mr. Dipayan Dan

... for the petitioner

Mr. Supriyo Chattopadhyay

Mr. Arindam Chattopadhyay

... For the State

Mr. Kunar Ganguly

... for the respondent no.6

1. This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by an order dated March 13, 2020, which is assailed before this Court. The order specifically requires the petitioner who is the unmarried daughter of the deceased employee to produce the Pension Payment Order.

2. Counsel for the petitioner submits that all the documents have been submitted by the petitioner except the Pension Payment Order that is not available with the petitioner. Several rules and regulations have been placed by the petitioner to indicate that pension payment

may be made even if the Pension Payment Order is not available.

3. Mr. Chattopadhyay, learned Counsel appearing on behalf of the State has also placed certain regulations and has clearly submitted that the Treasury Officer being the respondent no.5 herein may be directed to provide the pension payment made on the basis of last basic pay of the deceased employee.

4. In light of the above submission, the respondent no.5 being the Treasury Officer, Birbhum-I is directed to provide the last basic pay of the deceased employee to the District Inspector of Schools (S.E.), Birbhum within a period of three weeks from date.

5. Needless to mention, upon receipt of the said documents the concerned District Inspector of Schools (S.E.) shall process the same and send the same to the Director of Pension, Provident Fund and Group Insurance.

6. The Director of Pension, Provident Fund and Group Insurance shall thereafter process the documents and send the same to the concerned Treasury Officer for disbursal of the pension and arrear pension, if any.

7. The Treasury Officer, Birbhum-I, being the respondent no.5 shall thereafter make payment the pension and arrear pension, if any, to the petitioner.

8. The entire process should be completed within a period of two months from date.

9. With the above directions, this writ petition is disposed of.

10. Since no affidavit-in-opposition is called for, allegations made in the writ petition are deemed not to have been admitted.

11. All parties are to act on website copy of this order.

(Shekhar B. Saraf, J.)