

S/L 26
01.07.2021
Court. No. 19
GB

W.P.A. 10878 of 2021

Mampi Bhattacharjee
Vs.
State of West Bengal & Ors.

(Through Video Conference)

*Mr. Saibal Acharya,
Mr. Rajib Kumar Acharyya,
Mr. Banshi Badan Maity.*

...for the Petitioner.

Notice showing service upon the State respondents is taken on record.

Despite service none appears on behalf of the respondents. Mr. Sushovan Sengupta, learned senior Government advocate, who is present in Court virtually, is requested to appear in the matter with a junior of his choice, Mr. Subir Pal. Their appearances may be regularized.

The petitioner has challenged inaction on the part of the Director, River Research Institute, Mohanpur, Haringhata, Nadia in disposing of the prayer of the petitioner dated October 12, 2020, by which the petitioner prayed for grant of death-cum-retirement benefits of the deceased father of the petitioner. It is the contention of the petitioner that the petitioner is an unmarried daughter and the only heir of the deceased.

Records reveal that the petitioner was nominated by the deceased employee in the forms with regard to G.P.F, death-cum-gratuity, leave salary, pension, etc. The petitioner

contends that despite several reminders, the prayer of the petitioner for disbursement of the retirement benefits of her deceased father including the family pension, the same has not been done.

Without going into the merits of the claims of the petitioner, this writ petition is disposed of with a direction upon the respondent no.3 to take a decision with regard to the claims of the petitioner for payment of death-cum-retirement benefits of her deceased father an erstwhile employee under the River Research Institute, Mohanpur, Haringhata, Nadia. Such decision shall be taken upon hearing the petitioner, within a period of six weeks from the date of communication of this order. If the petitioner is found eligible for disbursement of the death-cum-retirement benefits of her deceased father including family pension, the same shall be disbursed in accordance with law within a period of eight weeks from the decision of the respondent no.3.

If it is found that the petitioner is not entitled, then a reasoned order should be communicated to the petitioner within a period of six weeks.

Accordingly, the writ petition is disposed of.

There will be however no order as to costs.

All parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)