

11.11.2021

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Sl. No. 08

Ct. No. 05

WPA 13411 of 2021

[Via Video Conference]

Krishnapada Chakraborty & Anr.

-Versus-

State of West Bengal & Ors.

Mr. Sujit Kr. Rath
Mr. Sukumer Sarker
Mr. Anirban Saha

.... for the petitioners

Mr. Supriyo Chattopadhyay
Mr. Sagnik Chatterjee

..... for the State

The limited prayer of the petitioners at this stage is for the Pension Sanctioning Authorities i.e. the District Inspector of Schools(PE)-Paschim Medinipur to consider the case of the petitioners in terms of an order passed by the Additional Director of Pension. By the said order, the Additional Director of Pension found that the observation of the D.I. of Schools as submitted in his report dated 6th April, 2021 is erroneous in terms of a memo issued by the School Education Department. The Additional Director of Pension accordingly directed the D.I. to act in accordance with the guidelines given in para -2(b) of the G.O. No. 378 dated 28th July, 2008.

The State is represented.

Upon perusing the relevant materials on record, this Court deems fit to direct the District Inspector of

Schools-Paschim Medinipur, being the respondent No. 4 herein to carry out the direction in the order dated 13th July, 2021 and pass a reasoned order upon considering the relevant G.O. and memo numbers issued by the School Education Department. The reasoned decision should be passed within a period of eight weeks from date and a copy of the decision should be given to the petitioners within a week from which the decision is taken. If it is found that the petitioners are entitled to the family pension in terms of the relevant notifications, the concerned authorities are directed to take appropriate steps in that regard without any further delay.

WPA 13411 of 2021 is disposed of in terms of the above direction.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Moushumi Bhattacharya, J.)