

07.10.2021
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Sl. No. 04
Ct. No. 05

WPA 15023 of 2021
[Via Video Conference]

Alpana Acharyya
-Versus-
State of West Bengal & Ors.
(Via Video Conference)

Mr. Kapil Chandra Sahoo

.... for the petitioner

Mr. Rajarshi Basu

Mr. Parikshit Goswami

.... for the State

writ petitioner is an unmarried and differently abled daughter of an assistant teacher who was working in a Government aided recognized High School and retired on 1st January, 1983. It is submitted that father of the writ petitioner was in receipt of pension till the date of his death on 15th January, 2001. Subsequently, the wife of the deceased teacher was in receipt of family pension after the death of the teacher till the date of death of the widow on 4th March, 2010. Writ petitioner prays for sanction of pension in her favour being unmarried and differently abled daughter of retired and deceased teacher. The attention of this Court has been drawn to Government circular dated 13th April, 2010 issued by the Joint Secretary, Finance Department, Government of West Bengal which relates to sanction of pension

in favour of unmarried dependent daughter of a retired teacher working Government aided institutions. Writ petitioner has also submitted that one representation for sanction of pension in her favour has been made on 9th August, 2021, page 31 of the writ petition, which is remaining pending for consideration by the concerned respondent authority.

Mr. Rajarshi Basu, learned advocate, appears on behalf of the State respondents and submits since the representation has been made by the writ petitioner claiming sanction pension in view of death of the parents of the writ petitioner the same can be considered in accordance with law by the appropriate authority.

This Court has considered the submissions of the respective parties to this writ petition and directs the District Inspector of Schools(SE), Purba Medinipur to take decision on the entitlement of the writ petitioner to receive pension being unmarried and differently abled daughter of a deceased teacher within a period of 12 weeks from the date of communication of this order and communicate the decision to the writ petitioner within 2 weeks thereafter.

The concerned District Inspector of Schools (SE), Purba Medinipur is also directed to grant

opportunity of hearing to the writ petitioner before taking such decision.

Since no affidavits are called for, the allegations contained in the writ petition are deemed not to have been admitted.

With the above direction, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Saugata Bhattacharyya, J.)