

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 17261 of 2021

Atasi Giri
Vs.
The Union of India & Ors.

Mr. Debasish Ghosh
Mr. Nilanjan Adhikari
Mr. Subhajit Roy
... For the petitioner

Ms. Sucharita Paul
... For the respondents no.2 to 6 & 8

The petitioner claims to be the wife of Akul Kumar Giri, a retired employee of United India Insurance Company Limited, who died on 08th August, 2016. The petitioner says that after the death of her husband, she is entitled to Family Pension. The petitioner has applied for Family Pension, but her application has not been disposed of.

On behalf of the United India Insurance Company Limited, it is submitted that from the documents available on record with the employer, it appears that one Sucheta Giri is the declared wife of the deceased employee. The petitioner's name does not figure in any of the documents submitted and/or furnished by the employee during his lifetime.

It is submitted on behalf of the United India Insurance Company Limited that the representation

made by the petitioner is before the Manager, United India Insurance Company Limited, Contai Branch. The said representation, according to the United India Insurance Company Limited, should be made before the Regional Chief Manager, United India Insurance Company Limited, at its Regional Office situate at Himalaya House, 38B, Jawaharlal Nehru Road, Chowringhee, Kolkata – 700071 and if made, the same will be considered.

Considering the submission made by the parties, I dispose of the writ petition by granting liberty to the petitioner to make a representation before the Officer concerned, as indicated hereinabove, within a period of two weeks from date.

In the event such representation is made, the concerned Officer shall dispose of the petitioner's representation within a period of four weeks from the date of filing of the representation by a reasoned order after affording the petitioner a reasonable opportunity of hearing. The concerned Officer shall be free, if necessary, to call Sucheta Giri, to whom according to United India Assurance Company Limited the family pension is being paid by virtue of her claim to be the wife of the deceased employee Akul Kumar Giri, for effective adjudication of the dispute. The reasoned order should be communicated to the petitioner within ten days from the date of passing of the order.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted.

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

(Arindam Mukherjee, J.)