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25.01.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side
(Via Video Conference)**

W.P.A 278 of 2022

**Usha Mandal
-versus
State of West Bengal & Ors.**

**Mr. Chittapriya Ghosh.
...For the Petitioner.**

**Mr. Wasim Ahmed,
Sk. Md. Masud.
...For the State.**

**Mr. Bhaskar Prasad Vaisya,
Mr. Gourav Das.
...For DPSC,
South 24-Parganas.**

The father of the petitioner, a primary school teacher, retired after attaining his normal age of superannuation on 31st January, 1998. Pension was granted in his favour. He died on 8th August, 2001. The mother of the petitioner while enjoying family pension died on 3rd January, 2010.

The petitioner claims to be a widow daughter of the deceased primary school teacher. She made representation for grant of family pension in her favour on 22nd October, 2019.

The representation of the petitioner was forwarded by the Assistant Director, Pension, Provident Fund and Group Insurance, Government of West Bengal to the District Inspector of Schools (P.E.), South

24-Parganas for taking necessary action at the earliest as per the existing orders and the extant rules.

The grievance of the petitioner is that no step has been taken by the District Inspector of Schools (P.E.) for grant of family pension in her favour till date.

As it appears that the Assistant Director, Pension, Provident Fund and Group Insurance, Government of West Bengal vide a communication dated 28th November, 2019 has already directed the District Inspector of Schools (P.E.), South 24-Parganas to take necessary steps in the matter, accordingly, the instant writ petition is disposed of by directing the respondent No. 4 being the District Inspector of Schools (P.E.), South 24-Parganas to take immediate steps for consideration of the representation filed by the petitioner for grant of family pension in her favour in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

In the event the said respondent is of the opinion that the petitioner will be entitled to receive family pension, then necessary consequential steps shall be taken by the District Inspector of Schools (P.E.) immediately thereafter.

The writ petition stands disposed of.

The petitioner is directed to forward a copy of her representation dated 22nd October, 2019 and the communication of the Assistant Director, Pension, Provident Fund and Group Insurance dated 28th November, 2019 to the aforesaid respondent at the time of communicating the order of the Court.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)