

S/L 32
14.03.2022
Court No.24
SD

WPA 2561 of 2022

Muksuda Bibi
Vs.
The State of West Bengal & Ors.

Mr. Sanjib Bandyopadhyay

...for the Petitioner.

Mr. Rajendra Chaturvedi

...for the State.

Affidavit of service filed in Court today be taken on record.

The petitioner is a widowed daughter of a primary school teacher. She prays for grant of family pension in her favour. Her case was considered by the District Inspector of Schools (Primary Education), Howrah and the petitioner has been intimated that she is required to submit a list of documents, details of which have been mentioned in the communication dated August 17, 2018.

The petitioner asserts that she submitted all the relevant documents as sought for by the aforesaid communication.

The grievance of the petitioner is that in spite of submissions of all the documents, family pension is yet to be disbursed in her favour.

Learned advocate representing the District Inspector of Schools (Primary Education), Howrah submits, upon instruction, that the petitioner did not submit all the documents that she was requested to submit. The petitioner

only enclosed the death certificate of her father, mother and her husband and illegible copy of the Pension Payment Order of her father. The legal heirship certificate of the deceased teacher from the District Magistrate, income certificate in favour of the petitioner from a Group-A officer has not been submitted till date. Without submission of the legal heirship certificate and the income certificate, the District Inspector of Schools (Primary Education), Howrah cannot process the application of the petitioner for grant of family pension.

As it appears from the instruction given by the District Inspector of Schools (Primary Education), Howrah that the petitioner is yet to submit all the documents which are required for processing her prayer, accordingly, the writ petition is disposed of by granting leave to the petitioner to submit the documents as indicated in the communicating memo of District Inspector of Schools (Primary Education), Howrah dated August 17, 2018.

The petitioner shall submit the income certificate from the Group-A officer and the legal heirship certificate from the District Magistrate, Howrah. Immediately on receipt of the aforesaid documents, the District Inspector of Schools (Primary Education), Howrah shall proceed with processing the prayer of the petitioner for grant of family pension and disburse the same in her favour at the earliest.

In the event the aforesaid respondent is of the opinion that the petitioner is ineligible to receive family pension or any further document is required from the petitioner then

the same shall be intimated to the petitioner at the earliest opportunity.

The instruction given by the District Inspector of Schools (Primary Education), Howrah dated February 22, 2022 is retained with the record.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be given to the parties, upon compliance of all formalities, on priority basis.

(Amrita Sinha, J.)