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WPA/5739/2021
BISWANATH ROY
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Tarapada Das,
Mr. Mahadeb Khan,
Ms. Jonaki Khan
..for the Petitioner

Ms. Chaitali Bhattacharyya,
Mr. Mrinal Kanti Ghosh
..for the State

The petitioner is 59 years old and seeks disability pension on account of the service by his father who retired from service in 1968. After the death of his father, the mother received pension. The mother died on 02.10.2017. The petitioner relied upon a notification dated 13th January, 2009. It is clear that it is applicable to persons who have retired after 01.04.1981 but before 5th September, 2005. The petitioner, therefore, cannot maintain any claim for pension.

Even otherwise this Court is of the view that a 59 year old person notwithstanding any disability cannot claim any pension on account of his deceased father.

The petition is accordingly dismissed.

(Rajasekhar Mantha, J.)

