

02.05.2022
SL No. 28
Court No. 24
(P.M)

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 5199 of 2022

**Aloka Dutta
Vs
The State of West Bengal & Ors.**

Ms. Anita Kaunda
... for the petitioner .

The petitioner claims to be the unmarried sister of a deceased primary school teacher.

The primary school teacher was a bachelor at the time of his death on 6th February, 2021.

The petitioner claims that she happens to be one of the heirs and legal representatives of the deceased teacher Manoj Kumar Dutta. She claims that she will be entitled to receive family pension on account of the death of her brother.

The petitioner claims to have made representation before the District Inspector of Schools (Primary Education), Krishnanagar, Nadia praying for grant of family pension in her favour on 1st May, 2021.

The petitioner alleges that the said representation has not been considered till date.

None appears on behalf of the respondents despite service.

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

As it appears that the representation of the petitioner praying for grant of family pension is pending consideration at the end of the District Inspector of Schools (Primary Education), Krishnagar, Nadia accordingly the instant writ petition is disposed of by directing the respondent No. 3 to consider the representation filed by the petitioner strictly in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of copy of this order.

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

It is made clear that the Court has not entered into the merits of the claim of the petitioner and all points are left open to be decided by the aforesaid respondent at the time of consideration of the representation of the petitioner.

The petitioner is directed to forward a copy of her representation dated 1st May, 2021 along with

all other documents in support of her claim to the aforesaid respondent at the time of communicating the order of this Court.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)