

W.P.A. 5078 of 2008

Sri Biswanath Bose
Vs.
The State of West Bengal & Ors.

Mr. Debasish Kundu
...for the petitioner

Mr. N.C. Behani
Ms. Era Ghosh
...for the KMC

Matter was adjourned on 24th November, 2022 on the prayer of the learned advocate representing the petitioner in order to take instructions.

Today, Mr. Debasish Kundu, learned advocate representing the petitioner has submitted that he has made an effort to contact the petitioner, that went in vain and he has not received any instruction.

Previously on behalf of Kolkata Municipal Corporation an affidavit was filed which was affirmed on 17th November, 2022 in terms of the direction passed by this Court wherefrom it appears life time arrear due to death of mother of the petitioner's grand daughter as well as minor daughter of deceased employee and minor pension were duly sanctioned and paid and the calculation has been indicated in paragraph 3 (C) of the said affidavit.

In addition thereto, it has also been averred therein that from October, 2009 till the month of

February, 2017 minor daughter of deceased employee received pension till she attained age of 25 years.

It has been submitted by Mr. N.C. Behani, learned advocate representing the Kolkata Municipal Corporation that pension for 5 months in excess was paid considering the fact that the petitioner attained 25 years on 2nd September, 2016 but the pension was paid upto February, 2017.

In view of such averments made in the affidavit of the Kolkata Municipal Corporation it appears that the grievance of the petitioner apparently stands redressed.

Accordingly, the writ petition stands disposed of.

However, this order shall not preclude the petitioner or his grand daughter to approach the concerned authority of the Kolkata Municipal Corporation for release of other benefits as well as pension, if so advised, in accordance with law.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)