

18
11.01.2022
Ct. No.23
(NB)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8310 of 2021
(via Video Conference)

Boby Panday @ Pandey
Vs.
West Bengal State Electricity
Distribution Company Limited & Ors.

Mr. Swapan Banerjee,
Ms. Ankita Dey
... for the petitioner.

Mr. Rituparna Maitra.
...for the respondents.

The petitioner's father was an employee of West Bengal State Electricity Distribution Company Limited (in short "WBSEDCL"). The petitioner's father retired from service on 30th September, 1995 and was granted pension. The petitioner's father died on 14th May, 1998. After the death of the petitioner's father, the petitioner's mother, Shyamali Pandey was granted the family pension. On 23rd February, 2020, Shyamali Pandey died. The petitioner who is aged about 47 years as per the affidavit made in the writ petition claims to be unmarried at the time of death of her father and mother and seeks that family pension to be paid to her after the death of her mother, Shyamali Pandey.

After going through the materials on record and considering the submissions made by the parties, I do not find any scope for passing a mandatory order directing

payment of family pension to the petitioner. The petitioner, however, has made a representation before the employer WBSEDCL for considering her claim for family pension. The said representation dated 6th May, 2020 is at page 37 of the writ petition.

The Senior Manager (F&A), Pension Cell of WBSEDCL being the respondent no.3 is directed to consider the petitioner's representation within a period of four months from the date of communication of a server copy of this order by a reasoned order after affording the petitioner an opportunity to represent her case by observing the prevailing Covid-19 protocol. The petitioner shall be liable to produce all documents in support of her claim before the respondent no.3 at the time of hearing.

The reasoned order shall be communicated to the petitioner within a period of ten days from the date of passing of the same. Nothing further remains to be adjudicated in this writ petition.

The writ petition is, therefor, disposed of.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted by the respondents.

(Arindam Mukherjee, J.)