

Court No. 24
27.01.2022
(Item No. 18)
(AB)

W.P.A. 9027 of 2021
(via video conference)

Manju Chowdhury
VS
The State of West Bengal & Ors.

Mr. Sudip Sarkar
Mrs. Sabita Khutia (Bhunya)
..... for the petitioner

The petitioner is the widow mother of a deceased Primary School Teacher. She prays for grant of family pension in her favour.

It appears from the submissions made on behalf of the petitioner that the Family Pension Payment Order could not be issued in her favour for want of a legal heirship certificate.

The petitioner has applied before the District Magistrate through proper channel on 16th January, 2019. The same has not been issued till date.

None appears to oppose the prayer of the petitioner.

In view of the above, the instant writ petition is disposed of by directing the District Magistrate, North 24 Parganas being the respondent No. 8 herein to take immediate steps for issuance of the necessary heirship certificate in favour of the petitioner within four weeks from the date of communication of a copy of this order.

The petitioner, on receipt of the heirship certificate, will be at liberty to apply afresh before the State respondents and the Director of pension, Provident Fund and Group Insurance for issuance of the Family Pension Payment Order in her favour.

The petitioner has already applied before the respondent authorities including the Commissioner, School Education Directorate, District Inspector of Schools, Primary Education, North 24 Parganas, the Treasury Officer, Barasat and the Director of Pension, Provident Fund and Group Insurance praying for issuance of Family Pension Payment Order in 31st October, 2019.

The aforesaid respondents are directed to take prompt necessary steps for processing the case of the petitioner and for issuance of the Family Pension Payment Order in her favour positively within a period of eight weeks from the date of receipt of the heirship certificate from the petitioner.

The petitioner is directed to forward a copy of the representation dated 16th January, 2019 to the District Magistrate, North 24 Parganas and a copy of the representation dated 19th November, 2019 to the other respondents at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

(Amrita Sinha, J.)