

19.07.2022
DL-7
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 9822 of 2022

Debasis Goswami
Vs.
Union of India & Ors.

Mr. Arkadipta Sengupta,
Mr. Prashant Kumar Singh,
Mr. Somdev Ash

....for the petitioner.

Ms. Rashmi Bothra

...for the respondents nos.1 & 2.

Mr. Pankaj Kumar Mukherjee

....for the respondent nos.3 & 4.

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

The petitioner's father Ajit Kumar Goswami was an employee of South Eastern Railway and had retired in the year 1981. The petitioner's father used to receive pension till his death on 2nd November, 1988. After the death of said Ajit Kumar Goswami, the petitioner's mother Sabita Goswami used to receive the widow pension. The said Sabita Goswami died on 28th October, 2018. After the death of the petitioner's mother, the petitioner's sister, Dipa Goswami, according to the petitioner, was entitled to receive the pension as unmarried daughter. Dipa Goswami died on 16th May, 2021. The petitioner is

the brother of Dipa Goswami. The petitioner is claiming the money which, according to the petitioner, was payable to Dipa Goswami from the date of death of Sabita Goswami till up to the death of Dipa Goswami.

Admittedly, the petitioner's father was an employee of South Eastern Railway. The retiral benefits and all other issues pertaining to the same like that in the instant case has to be proceeded before the competent administrative tribunal in view of the provisions of Section 3(q) read with Sections 14 and 28 of the Administrative Tribunals Act, 1985.

The writ petition is dismissed as withdrawn for lack of jurisdiction with liberty to file afresh on the self-same cause, if permissible in law, before the appropriate forum.

(Arindam Mukherjee, J.)