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**W.P.A. 13677 of 2022**

**Kumkum Banerjee  
Versus  
The State of West Bengal & Ors**

Mr. Partha Pratim Roy,  
Mr. Dyutiman Banerjee,  
... For the petitioner.

Mr. Suman Dey ... For the State.

Let the affidavit-of-service filed by the petitioner be kept with the records.

The petitioner is the unmarried daughter of the deceased employee namely Sankar Banerjee, who died on January 23, 2016.

He retired from service on July 31, 2005, as a Group-D staff of Dwijendralal College, Krishnanagar. He had received his pension and other retiral dues. After his death on January 23, 2016, his family was, however, not given any family pension.

It is submitted by the petitioner that due to non submission of the legal heir certificate of the deceased employee, the family pension was not accorded by the State.

It appears that the Principal of the College by a letter dated February 1, 2021, submitted the legal heir certificate before the Director of Public Instruction for release of the family pension. Thereafter, no steps have been taken.

Mr. Suman Dey, representing the State submits

that the Directorate of Public Instruction shall consider the grant of family pension in favour of the petitioner within a reasonable period.

In that view of the matter, this writ petition is disposed of with a direction upon the Director of Public Instruction, Department of Higher Education, West Bengal to consider the case of the petitioner for release of the family pension in her favour in accordance with law within a period of four weeks from the date of communication of this order.

The Director of Public Instruction shall communicate his decision to the petitioner within a period of one week thereafter.

Accordingly, WPA 13677 of 2022 is disposed of.

Let urgent certified copies of this order, if applied for, be given to the parties upon compliance with all the necessary formalities.

**( Kausik Chanda, J.)**