

09.11.2022
(S/L-17)
Ct.-18
(P. Jana)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 14690 of 2022

Sohagi Baski (Murmu)
-versus-
The State of West Bengal & ors.

Mr. Srikanta Datta,
... for the petitioner.

Mr. Sarbananda Sanyal,
... for the private respondent no. 8.

Mr. Amal Kumar Banerjee,
....for the respondent no. 5.

Mr. K.M. Hossain,
Mr. Tapas Ballav Mandal, ... for the State.

The petitioner is prying for disbursement of family pension of the deceased teacher Sudip Murmu claiming to be his legally married wife.

The family pension has already been disbursed in favour of the respondent no. 8 as in the pension papers and other relevant documents her named appeared as the wife of the said deceased teacher.

Mr. Srikanta Datta, learned counsel for the petitioner, strenuously argued that his client is the legally married wife of the deceased teacher as such is entitled to the family pension.

The marital status of the petitioner cannot be determined in the writ jurisdiction, therefore, the petitioner is not entitled to the order as prayed for.

WPA 14690 of 2022 is dismissed without any order as to costs.

This order, however will not prevent the petitioner to approach the appropriate Civil Court for determination of the validity and legality of her marriage with the deceased teacher in accordance with law.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Biswajit Basu, J.)