

33.
28.04.2022
S.D.

W.P.A. 17944 of 2021

**Masuda Bewa
Vs.
The State of West Bengal & Ors.**

Mr. Husen Mustafi
Mr. Debasis Kar

...For the petitioner.

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee

..For the State.

The petitioner being the legally married wife of the deceased teacher Md. Amjad Hossain has approached this Court with a prayer for grant of family pension in her favour. The teacher received pension after his retirement on 30.11.2006 and he enjoyed pension till his death on 30.06.2014.

After the death of the teacher the petitioner sought family pension. Initially, there was an objection raised by the office of the DPPG. Thereafter, the said objection was duly answered and the office of the District Inspector of School, Secondary Education, Murshidabad resubmitted the pension file of the petitioner before the DPPG on 04.09.2015. No positive step was taken in the matter.

A letter was issued to the Madrasah Authority by the office of the District Inspector of Schools vide Memo No. 4868-G dated 26.11.2021 for submission of the pension papers afresh so that the petitioner can receive the family pension, but the Madrasah Authority failed to respond to such request till date.

It appears from the instruction that has been received from the District Inspector of Schools, Secondary Education, Murshidabad that the pension case of the petitioner cannot be proceeded with in view of the non-action/inaction on the part of the Madrasah Authority.

The Madrasah Authority is not represented in Court today.

Payment of family pension in favour of the petitioner ought not be held up due to the non-action/in-action on the part of the Madrasah Authority.

Accordingly, the District Inspector of Schools, Secondary Education, Murshidabad is directed to follow up the matter with the Madrasah Authority, and if required, to send one of the responsible officers of the office of the District Inspector of Schools, Secondary Education Murshidabad to the Madrasah in question to collect the relevant information and necessary documents which are required for the purpose of processing the pension case of the petitioner.

The District Inspector of Schools shall take all necessary steps to ensure that the pension case of the petitioner is made ready and forwarded to the office of the DPPG at the earliest. All positive steps shall be taken by the District Inspector of Schools to ensure that family pension is released in favour of the petitioner latest within six months from the date of communication of this order.

The petitioner is directed to render all necessary cooperation and assistance to the officers of the District Inspector of Schools and the Madrasah Authority for processing her pension file.

The writ petition stands disposed of.

Instructions given by the District Inspector of Schools, Secondary Education, Murshidabad dated 27.04.2022 be retained with the records.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)