

15.06.2022.
Item No. 34.
Court No.13
pk

W.P.A. No. 18001 of 2019
Smt. Anjali Rani Gayen
Versus
The State of West Bengal and others

Mr. Biswarup Biswas
Mr. Sarthak Burman,
Mr. K. K. Kar

...For the petitioner.

Mr. Sushanta Paul,
Ms. Kakali Samajpati

... for the State.

The writ petitioner claims to be the widow of late Sudhangsu Sekhar Gayen, who died on 17.03.1984. The said Sudhangshu Sekhar Gayen was employed as Group “D” staff in Dakshin Mahendrapur Shibaprasad Bhagabat Chandra High School. He had completed about 3½ years of service. The petitioner has applied for family pension. The application is pending as on date.

By communication dated 11.02.2021 produced by counsel for the State, the Assistant Director, Pension, Provident Fund and Group Insurance, Government of West Bengal had asked the D. I. of Schools (SE) to submit the death certificate and the list of family members of the deceased from the District Magistrate/Collectorate.

The documents have not been furnished till date.

The writ petitioner claims entitlement to pension in terms of the DCRB Scheme of 1991 and particularly Rule 23 thereof. Reference is made to the decision of a Co-ordinate Bench dated 9th August, 2010 in WP 7217(W) of 2006.

In view of the above, the District Magistrate, South 24 Parganas is added as party respondent to the instant proceeding. The advocate on record of the writ petitioner shall carry out necessary amendment in the cause title in course of the day.

The District Magistrate, South 24 Parganas shall prepare a list of family members/legal heirs of the deceased, Sudhangshu Sekhar Gayen and transmit the same to the concerned D. I. of Schools (SE), South 24 Parganas.

Death Certificate is already annexed to the writ petition.

Upon receipt of the said information and documents from the office of the concerned District Magistrate, the D. I. of Schools shall process the pension papers on account of the deceased, Sudhangshu Sekhar Gayen and the Assistant Director, Pension, Provident Fund and Group Insurance, Government of West Bengal shall issue P.P.O.. Pension is payable to the petitioner, shall thereafter be released to the petitioner together with interest @ 6% per annum from the date of death of Sudhangshu Sekhar Gayen.

The aforesaid exercise shall be carried out by the D. I. of Schools and the Assistant Director, Pension, Provident Fund and Group Insurance, Government of West Bengal within a period of two months from date.

The District Magistrate, South 24 Parganas shall, however, furnish particulars, as directed herein above, to the D. I. of Schools (SE) within a period of three weeks from date.

With the aforesaid directions, the writ petition is disposed of.

There will be no order as to costs.

(Rajasekhar Mantha, J.)