

20.07.2022
Item No.13
Ct. No.13
CHC

W.P.A.21728 of 2018

**Asit Chakraborty
Vs.
The State of West Bengal & ors.**

Mr. Saibal Acharya,
Mr. Sougata Mitra,
Mr. Rameshwar Sinha,
Ms. Ankita Dey
...for the petitioner

Ms. Chaitali Bhattacharya,
Mr. Kartick Chandra Kapas
...for the State

The petitioner is the disabled son of a deceased employer of the State Government. The petitioner's father was an Assistant Teacher at the Rishra Brahmananda Keshav Chandra High School, District-Hooghly, who retired from service and had been receiving pension up until his death in 1997. Thereafter, the family pension was being disbursed in favour of the petitioner's mother, up until his expiry in 2015.

The petitioner's representation for the family pension to be disbursed in his favour is stated to have been heard by the D.I., Hooghly.

Let the final order be passed and communicated to the petitioner within a period of one (01) month from date. If final order has already been passed, the same may be communicated to the petitioner within seven (07) days from date.

Ms. Bhattacharya, learned advocate appearing for the State, submits that the family pension for disabled son cannot be allowed to the petitioner since the spouse of the deceased employee, being the petitioner's mother received pension during her lifetime under the relevant rules.

The writ petition stands disposed of.

(Rajasekhar Mantha, J.)