

WPA 1625 of 2019

Wajda Tabassum & Ors.
Vs.
State of West Bengal & Ors.

Mr. Chandan Dutta.
... for the petitioners

No one is appearing for the respondents.

The writ petitioners are the successors of a retired Municipal School teacher. The father of the writ petitioners retired on 31.12.2002. Since after that date he started getting pension with effect from January 1, 2003 and after his demise his wife was getting family pension.

The grievance of the writ petitioners is that the pension was fixed not in terms of ROPA-1998 but in terms of a memo no. 732-SE(Law)/PL/55-28A/01 dated 21st November, 2003.

Learned counsel appearing for the writ petitioners has shown from the documents annexed with this writ petition that in response to an application under the Right to Information Act, 2005, the concerned authority has informed about fixation of pension of Md. Zainul Haque in terms of a memo no. 732-SE(Law)/PL/55-28A/01 dated 21st November, 2003.

Though the writ petitioners have put forth an allegation of discrimination being meted out to their deceased father, in the way that other similarly

circumstanced persons, that is, retired teachers of municipal school, have been paid pension in terms of ROPA-1998 and the father of the writ petitioners has only been discriminated. There is no sufficient document annexed with this writ petition to justify such claim.

On the other hand, it appears that the memo dated 21st November, 2003 is the guideline for grant of pension to the teachers of a municipal school.

It is also not established in this writ petition as to why the father of the writ petitioners, since deceased, after his retirement, has not taken up any grievance in respect of fixation of pension of him, with the authorities, within a reasonable period of time.

The present writ petitioners being the legal heirs of the said deceased employee, are not entitled at this belated stage, to espouse the said cause.

On the grounds as stated above, I find this writ petition does not merit any success.

WPA 1625 of 2019 is dismissed.

Urgent Photostat certified copy of this order, if applied for, be given to its parties on usual undertaking.

(Rai Chattopadhyay, J.)