

18.08.2023
(D/L-17)
Ct.-18
(Susanta)

W.P.A. 4623 of 2023

Ila Kundu
-Vs-
The State of West Bengal & Ors.

Mr. Dilip Kumar Maiti,
.... For the Petitioner.

Mr. Pinaki Dhole,
Md. Ziaur Rahaman,
.... For the State.

The petitioner is the unmarried daughter of a deceased Group-‘D’ Staff of a Secondary School.

The Joint Director Pension, Provident Fund and Group Insurance, Finance Department, Government of West Bengal by his order dated April 13, 2010 has rejected the prayer of the petitioner for family pension holding that family pension is admissible only to the living Widows of the Ex-teachers and has communicated his said decision to the District Inspector of Schools (S.E), Krishnanagar, Nadia, the respondent no. 4 herein under Return Memo no. K/RM/S/00103/23 dated April 28, 2023.

In view of the judgment of the Special Bench of this Court delivered on June 20, 2023 in **MAT No. 1518 of 2019 (The State of West Bengal & Ors. Vs. Sabita Roy)**, the said decision is required to be revisited.

The concerned authority, therefore, is directed to reconsider the prayer of the petitioner in light of the aforementioned judgment of the Special Bench within a period of four weeks from the date of communication of this order.

W.P.A. 4623 of 2023 is disposed of with the above terms without any orders as to costs.

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

(Biswajit Basu, J.)