

50 30.08.2023
rkd Ct.15

W.P.A. 4037 of 2016

Rikta Sarkar

-vs-

The State of West Bengal & Ors.

Mr. Kaushik Chowdhury,
Ms. Busra Khatun

....for the petitioner.

Petitioner is a divorced daughter of an employee of a Gram Panchayat under Block Development Officer, Balurghat, Dist- Dakshin Dinajpur.

It has been submitted by the learned advocate representing the petitioner that her father on superannuation received pension and Pension Payment Order was issued vide memo dated 2nd April, 2002 sanctioning pension with effect from 1st September, 2000 in favour of the father of the petitioner. Father died on 22nd November, 2008 leaving behind petitioner's mother and the petitioner herself. Mother was in receipt of the family pension and subsequently mother died on 27th April, 2014. Due to death of the mother of the petitioner, petitioner made an application in the prescribed proforma to the concerned respondent authorities for sanction of family pension.

The grievance of the petitioner is in spite of

making application seeking sanction of family pension on 29th October, 2014 no steps have been taken by the concerned authority on such application of the petitioner.

No one is representing the respondents today.

Since the petitioner has made an application for sanction of family pension being the divorced daughter of an employee of a Gram Panchayat, this Court directs the Secretary, Panchayat and Rural Development Department, Government of West Bengal to take decision on the application of the petitioner seeking family pension after granting opportunity of hearing to the petitioner or her representative.

Such decision to be taken within a period of twelve weeks from the date of communication of this order.

The decision to be taken by the Secretary, Panchayat and Rural Development Department shall be communicated to the petitioner within one week thereafter.

With the aforesaid direction, the writ petition stands disposed of.

However, there shall be no order as to costs.

Affidavit-of-service filed on behalf of the petitioner is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)