

30.03.2023  
Sl. No.20(DL)  
srm

**W.P.A. No. 7130 of 2023**

**Arunava Dey**

**Versus**

**The State of West Bengal & Ors.**

Mr. Chandan Dutta,  
Mr. Gautam Malik

....for the Petitioner.

Mr. Atarul Hoque Molla

...for the State-respondents.

Affidavit-of-service is taken on record.

The petitioner is the husband of a deceased Anganwadi Worker. According to the petitioner, grant of Rs.3,00,000/- which is awarded as a onetime terminal benefit upon superannuation of a Anganwadi Worker at the age of 65 years, should be extended to the petitioner. His wife had expired before attainment of 65 years while she was continuing with her engagement and as such the amount of Rs.3,00,000/- should be disbursed as death benefit.

Such claim of the petitioner is not based on either any policy or any notification of the government. It appears that by a Memorandum No.3216-SW/WCD-14026/3/2018 dated September 30, 2020, issued by the Joint

Secretary to the Government of West Bengal, Women & Child Development and Social Welfare Department, a decision to extend the terminal benefit to Anganwadi Workers and Anganwadi Helpers had been taken and it was also decided by the Finance Department, Government of West Bengal, that a scheme for payment of terminal benefits to Anganwadi Workers and Anganwadi Helpers under the H/A “2071-Pension and Other Retirement Benefits-01-Civil-104-Gratuities-04-Pension/Gratuities” under Demand No.18, would be adopted.

From a bare reading of the said notification, the Court is unable to ascertain whether the spouse of a deceased Anganwadi Worker who died before attainment of the age of 65 years would be entitled to any benefit or not. Unless there is a policy in place or a scheme governing the instant issue, the writ court cannot pass any mandatory directions.

The petitioner is entitled to approach the Joint Secretary to the Government of West Bengal, Women & Child Development and Social Welfare Department, with his queries as to whether the husband of a Anganwadi Worker, who died before attainment of the age of 65 years, would be entitled to any benefit in the nature of grant or otherwise, or not. If such representation is filed, the

authority shall dispose of the queries of the petitioner, in accordance with law and pass a reasoned order. Such order shall be communicated to the petitioner.

The entire exercise shall be completed within a period of eight weeks from the date of receipt of the application of the petitioner.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**