

W.P.A. 12083 of 2019

**Sri Kuntal Chattopadhyay
Vs.
The State of West Bengal & Ors.**

**Mr. Firdous Samim
Ms. Gopa Biswas
Ms. Mousumi Hazra
Ms. Payel Shome
Ms. Purba Mukherjee
Ms. Sampriti Saha
...for the petitioner**

**Mr. Sudip Ghosh Chowdhury
....for the respondent nos. 9 to 11**

**Mr. Biswabrata Basu Mallick
...for the State**

The writ petition, *inter alia*, has been presented claiming family pension and other terminal benefits in view of death of the wife of the petitioner in harness on 10th February, 2014. Wife of the petitioner was working as an approved assistant teacher in Government aided recognized school under the jurisdiction of the District Inspector of Schools (SE), Hooghly being the respondent no. 6. The husband of the petitioner has approached the Court with the present writ petition for release of terminal benefits along with family pension in view of untimely death of his wife.

Pursuant to the previous order dated 8th May, 2023 the respondent no. 6 has filed a report before this Court dated 11th May, 2023 disclosing that in view of

submission of Legal Heir Certificate which was received by the office of the respondent no. 6 on 20th March, 2023 vide office Memo No. 382/Pen/SE dated 10th May, 2023 family pension case was forwarded to the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal being the respondent no.2.

Today, matter is heard in presence of the learned advocates representing the petitioner, State-respondents and the school authority.

In view of the report filed by the District Inspector of Schools dated 11th May, 2023 disclosing that the family pension case has already been forwarded to the office of the respondent no. 2 vide aforesaid memo dated 10th May, 2023, the respondent no. 2 is directed to issue Pension Payment Order (Family Pension) in favour of the petitioner within a period of 4 (four) weeks from the date of communication of this order upon compliance of necessary formalities.

The respondent authorities are also directed to release dues in favour of the petitioner including family pension within 4 (four) weeks from the date of issuance of Pension Payment Order (Family Pension).

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

The report dated 11th May, 2023 submitted on behalf of State is taken on record.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)