

03.04.2023
sayandeep
Sl. No. 16
Ct. No. 05

WPA 14891 of 2022

Kanan Maity
-Versus-
The Union of India & Ors.

Mr. Chittapriya Ghosh
Mr. Kuntal Ray
Mr. Goutam Acharya

.....for the petitioner

Mr. Raja Satyajit Banerjee
Ms. Krishnika Chatterjee
Mr. Sk. S. Malik

.....for the UOI

Mr. Prolay Kar
Mr. Debasree Dhamali

.....for the Bank

Mr. Suman Basu

.....for the respondent No. 4

On the last occasion, learned counsel appearing for the UOI had made a statement that the concerned PPO of the mother of the petitioner was now before the Finance Ministry. A letter of the Allahabad Bank on 10th December, 2019 also shows that the Bank communicated the PPOs along with relevant documents to the Central Pension Accounting Officer, New Delhi by way of the said letter.

It is clear from the above that the respondent Nos. 1-3 being the Ministry of Home Affairs, Freedom Fighter's Division has sat tight over the matter for more than three years without taking any steps with regard to the petitioner's right to family pension under the particular scheme upon the death of the petitioner's parents.

It is indeed a matter of great concern that the daughter of a freedom fighter is made to wait for more than three years for her just dues under the Scheme specially framed for the family members of freedom fighters who have died for the country.

The respondent Nos. 1-3 are hence directed to take a decision in the matter within three weeks from the date of communication of this order. The order should be communicated on the concerned respondents by 4th April, 2023. The respondent Nos. 1-3 shall also pay costs for the unexplained delay in taking action for an amount of Rs. 30,000/- which to be paid to the petitioner within a fortnight from date. The decision is to be communicated to the petitioner within four weeks from today.

The respondent Nos. 1-3 shall also decide on the quantum of interest which shall be payable to the petitioner as the daughter of her freedom fighter father in accordance with the freedom fighter's Scheme.

WPA 14891 of 2022 is accordingly disposed of in terms of the above.

(Moushumi Bhattacharya, J.)