

WPA 22447 OF 2022

Meherunnesa Khatun

Vs.

The State of West Bengal & Ors.

Mr. Kazi Sajjad Alam

...For the Petitioner

Mr. Srinath Singha Roy

...For the State

Affidavit-of-service, filed in Court today, is taken on record.

The first wife of the deceased teacher is the writ petitioner in the instant case.

Pursuant to a previous direction of a coordinate Bench, the respondent no.5 had already passed a reasoned order dated August 16, 2022, ***Annexure-P7 at page 37 to the writ petition.*** The decision of the respondent no.5 was that both the wives would have to be paid the pensionary benefits of the deceased State employee in equal halves.

Mr. Kazi Sajjad Alam, learned advocate appearing for the petitioner submitted that despite the said order having been there, no effect has yet been given by the appropriate State authority.

Mr. Srinath Singha Roy, learned advocate appeared for the respondent nos.1 to 5.

Considering the submissions made on behalf of the appearing parties and on perusal of the materials on record, to subserve justice, the ***respondent no.4 is directed to send and transmit all the papers and records relating to the case along with the order dated August 16, 2022, Annexure-P7 at page 35 to the writ petition before the respondent no.3*** positively within a period of two weeks from the date of communication of this order.

After receiving all such records from the respondent no.4, the respondent no.3 shall give effect to the said reasoned order dated August 16, 2022, ***Annexure-P7 at page 35 to the writ petition*** forthwith but positively within a period of four weeks thereafter to enable the beneficiaries of the said reasoned order to receive the benefits thereunder.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

With the above observation, this writ petition, ***WPA 22447 of 2022 stands disposed of***, without any order as to costs.

(Aniruddha Roy, J.)