

12.10.2023
(D/L-13)
Ct.-18
(Susanta)

W.P.A. 22672 of 2023

Sandhyarani Jana
-Vs-
The State of West Bengal & Ors.

Mr. Sakti Pada Jana,
Mr. Subhajyoti Das,
.... For the Petitioner.

Mr. S. Mustafi,
Mr. S. Alam,
.... For the State.

The petitioner is the unmarried daughter of an Assistant Teacher of the Ashadtala Vidyapith, District-Purba Medinipur, who on superannuation had retired on March 31, 1996 and died on May 10, 1996. The mother of the petitioner who was getting family pension has also died on November 05, 2010.

Now the petitioner is praying family pension.

Mr. S. Mustafi, learned advocate for the State submits that the petitioner, as per the rule is required to make a formal application for such family pension through the school authority.

Mr. Jana, learned advocate for the petitioner submits that in view of the judgment of the Special Bench of this Court in the case of **THE STATE OF WEST BENGAL & ORS. Vs. SABITA ROY**, the petitioner is entitled to get such family pension.

Be that as it may, to avoid the future complication, the petitioner is directed to lodge a formal claim for such family pension before the school authority within a week from date.

The school authority immediately on receipt of the said application shall transmit the same to the District Inspector of Schools(S.E.) District. Purba Medinipur, the respondent no.3 herein. The said respondent within four weeks from the date of receipt of the said application shall take steps for disposal of it.

W.P.A. 22672 of 2023 is disposed of with the above terms without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)