

16.10.2023
Item No.03
Court No.18
AJ.

W.P.A. 23139 of 2023

Jayanti Pal
-Vs-
The State of West Bengal & Ors.

Mr. Tarapada Das,
Mr. Suwendu Sekhar Das.
.....for the petitioner.

Mr. Arindam Chattopadhyay,
Mrs. Lipika Chatterjee.
.....for the State.

The deceased husband of the petitioner was an approved Assistant Teacher of a secondary school. The petitioner has filed the instant writ petition praying release of the amount accrued to her deceased husband towards commuted value of pension.

On the last date, Mr. Chattopadhyay, learned advocate for the State when by producing documents demonstrated that such amount was paid to the deceased employee during his lifetime, Mr. Das learned advocate for the petitioner took an adjournment to take instruction from his client.

Today, Mr. Das though acknowledges such payment in favour of the deceased employee but sought to justify filing of the instant writ petition for payment of the said money again on the ground that the petitioner was not aware of the said payment.

The explanation offered by Mr. Das is not acceptable inasmuch as the amount of commuted value of pension was credited to the bank account of the deceased employee.

WPA 23139 of 2023 is, therefore, dismissed with **costs of Rs. 5,000/-** (Five thousand rupees only) to be paid by the petitioner in favour of the High Court Legal Services Committee, Calcutta within two weeks from date.

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.)