

12.10.2023
SL No.48
Court No.8
(gc)

**MAT 1898 of 2023
CAN 1 of 2023**

**Suravi Kumar
Vs.
The State of West Bengal & Ors.**

Mr. Anupam Das,
Mr. Soupal Chatterjee,
Ms. Sucheta Banerjee
...for the Appellant.
Mr. Biswabrata Basu Mallick, A.G.P.,
Mr. Biman Halder,
...for the State.

1. In view of the judgment of the Special Bench in ***MAT 1518 of 2019 (The State of West Bengal & Ors. Vs. Sabita Roy) dated 20th June, 2023*** in which the reference was answered in favour of the unmarried and widowed daughter in Paragraph 19 of the said judgment, the appellant being the unmarried daughter would be entitled to the benefit of family pension as her father died prior to 1st April, 1981 provided the petitioner produced relevant documents or gave a declaration as to her legal status to the satisfaction of the Director of Pension, Provident Fund and Group Insurance, Finance Department, Government of West Bengal.
2. The impugned order is set aside.

3. The appeal succeeds.
4. Accordingly, the appeal and the application stand disposed of.
5. However, there shall be no order as to costs.
6. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)