

18.12.2023
Item No. 71
Ct. No. 238
Suman

WPA 27742 of 2023
Lakshi Rani Mishra
vs.
The State of West Bengal and Ors.

Mr. Srikanta Datta
Mr. Prodyot Kumar Roy
..for the petitioner

Mr. Pankaj Halder
Mr. P. K. Tripathi
..for the State

The petitioner is a widowed daughter of Archana Sengupta, who retired on August 1, 1991 as a Bearer of Suri Vidyasagar College. She died intestate on August 6, 2014.

The issue of extending the benefit of family pension to an unmarried daughter has been considered by this Court in the judgment and order dated November 29, 2023 passed in WPA 16049 of 2023 (Subhashree Basu vs. The State of West Bengal & Ors.). The relevant portion of the said judgment is quoted below:

“Mr. Samim ul Bari, learned advocate appearing on behalf of the State submits that under the West Bengal Non-Government College Teachers’ (Death-cum-Retirement Benefit) Scheme, there is no provision for family pension for a divorcee daughter of a deceased employee of a Non-Government College Teacher. He further submits that the grant of pension in favour of unmarried/divorcee daughter is under

the active consideration of the State pursuant to an order passed by a Division Bench of this Court in FMA 1325 of 2018.

In that view of the matter, this writ petition is disposed of with a direction upon the Secretary, Higher Education Department, West Bengal to consider the issuance of an appropriate memorandum with the concurrence of the Finance Department of the State to extend the benefit of family pension in favour of an unmarried/divorcee daughter of a deceased employee of a Non-Government College within a period of one month from the date of communication of this order.

If the State decides to issue such a notification extending the benefit of family pension in favour of unmarried/divorcee daughter, needless to mention, the same shall be extended to the petitioner within a period of two months from the date of communication of the order.”

In that view of the matter, the writ petition being WPA 27742 of 2023 is **disposed of** in terms of the aforesaid judgment and order dated November 29, 2023.

Parties shall act upon the server copy of this order downloaded from the official website of this Court.

Urgent certified copies of this order, if applied for, be made available to the parties subject to compliance with all requisite formalities.

(Kausik Chanda, J.)