

28.02.2024.
Court No.13
Item No. 82
pk

W.P.A. No. 200 of 2024

**Siddhartha Shome
Versus
NBSTC and others**

Mr. Bhagbat Chaudhuri,
Mr. M. A. Zinna

...For the petitioner.

1. The petitioner is the son of late Ujjal Narayan Shome, Ex Conductor of the NBSTC. The employee died before superannuation on 05.01.2017. His wife Manju Shome thereafter started getting pension and died on 31st October, 2018.
2. The respondent/NBSTC has allowed pension in favour of the petitioner, son of the second wife with effect from 1st September, 2022.
3. It is submitted that the petitioner is entitled to pension from the next date of death of his mother i.e. 01.11.2018.
4. It is now well settled that entitlement to pension accrues upon the death of the employee or the beneficiary thereof and becomes payable after the date of such death.
5. This Court holds that the petitioner is entitled to arrears of pension from 01.11.2018 to 31.08.2022

i.e. the date on which the pension was started and paid to the petitioner.

6. In view of the above, let arrears as above be paid to the petitioner within one month from date. In the facts and circumstances of the case, this Court is not inclined to order of any interest.
7. The writ petition is disposed of.
8. There will be no order as to costs.
9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)