

24.04.2024.
Court No. 13
Item No. 51
ap

W.P.A. No. 534 of 2024

**Smt. Sumita Kundu
Versus
The State of West Bengal & Ors.**

Mr. Sayak Chakraborti,
Mr. Wrickbrata Roy.

...For the petitioner.

Mr. Tuhin Sen.

...For the respondent nos.5 & 6.

1. Despite service of notice of the writ petition and the upgradation, the respondent no.4 is not represented. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner is the third unmarried daughter of Late Bibhuti Krishna Kundu, who was an employee of Department of Waterways and Irrigation. During his lifetime, the petitioner's father received pension. The father died on 27th October, 2009.
3. Upon application for pension by the petitioner, no objection of the other legal heirs has been sought. The other legal heirs, namely, Sudipa Saha, Sangita Nath and Sujoy Kundu have issued no objection.
4. Since the petitioner's father was an employee of the State, she should approach the State Administrative Tribunal for seeking reliefs. Reserving leave to the petitioner to move the State Administrative Tribunal on the selfsame cause of action, within a period of 45 days from date.

5. In view of the above, the instant writ petition must fail and is hereby dismissed.
6. There will be no order as to costs.
7. 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.)