

29.08.2024
Ct. No. 14
Sl. No.29
AGM

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 2709 of 2024

**Jyotshna Rakshit
-versus
The State of West Bengal & Ors.**

**Mr. Debapriya Gupta.
Mr. Rudra Prasad Sinha.
Ms. Aparupa Bhattacharya.
...For the Petitioner.**

**Mr. Wasim Ahmed.
Mr. Shehabuddin.
... for the State.**

The petitioner claims to be the widow of a deceased primary school teacher. The teacher married the writ petitioner after his retirement. The marriage certificate has been annexed to the writ petition. When the teacher was alive he made an application before the District Inspector of Schools praying for incorporating the name of his wife in his official records. The same was not acted upon. The teacher expired on 9th August, 2020.

The petitioner applied before the District Inspector of Schools praying for grant of widow pension.

From the documents annexed to the writ petition it appears that the District Inspector of Schools fixed a date of hearing on 22nd February, 2022 to consider the prayer of the petitioner.

Learned advocate for the petitioner asserts that the petitioner was duly present at the time of hearing but the fate of the hearing is yet to be made known to the petitioner.

Further representation was filed by the petitioner in January 2024 but the same is yet to be answered.

Upon hearing the parties and on perusal of the documents on record, the District Inspector of Schools, Primary Education, Purulia is directed to take a decision on the prayer of the petitioner for grant of family pension in accordance with law at the earliest but positively within a period of eight weeks from the date of communication of this order.

If the aforesaid respondent is of the considered opinion that the petitioner will be entitled to receive family pension, then necessary consequential steps shall be taken to ensure that family pension is released in her favour at the earliest.

Learned advocate for the petitioner is directed to forward a copy of all documents in support of the aforesaid prayer for grant of family pension to the respondent authority at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)