

06.03.2024  
Court No.13  
Item No.125  
AP

**WPA 3629 of 2024**

**Smt. Bijali Ghorai  
Versus  
The State of West Bengal & Ors.**

Mr. Subhrangsu Panda  
Ms. Ina Bhattacharyya

...For the petitioner.

Ms. Sonali Sinha

... For the State.

Affidavit-of-service filed in Court today be taken  
on record.

The petitioner is the widow daughter of late Haripada Guchait, who was an Primary Teacher of Khasargam Primary School, District – Purba Medinipur. He retired on 30.09.1977 and died on 14.08.1980. The mother of the petitioner died on 30.12.2009 and husband of the petitioner died on 14.01.2010. The petitioner applied for family pension in terms of the Circular of the State No. 96-SE dated 13<sup>th</sup> April, 2010 which remain unconsidered.

In those circumstances, the concerned District Inspector of Schools (P.E.) shall consider the petitioner's representation which is appearing at page 22 of the writ petition. For the said purpose, the petitioner shall file a representation afresh enclosing the details of the pension payment order of her late

father and other documents prescribed in the said Circular within a period of fifteen days from date.

Upon receipt of the said representation, the concerned District Inspector of Schools (P.E.) shall dispose of the same with a reasoned order within a period of four weeks thereafter.

If the concerned District Inspector of Schools (P.E.) finds that the petitioner is entitled to get pension, the same shall be released to her as expeditiously as possible, preferably within a period of one month thereafter.

In this regard, the DPPG shall bear in mind the paragraphs 18-19 of the discisions of the Three Judges Bench of this Court in MAT 1518 of 2019 dated 20<sup>th</sup> June, 2023. An unmarried/widow daughter of a person, who retired/died before 1981 shall also come within the purview of the circular dated 13<sup>th</sup> April, 2010.

The pension payment order issued in the name of employee on 17.10.2012 in terms of Memo No.1114-SE (Law) dated 24.08.2011.

The petitioner shall be entitled to receive all arrears in terms of such Circular dated 13<sup>th</sup> April, 2010.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

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.)***