

04
21.03.2024
Court No. 24
AGM

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

W.P.A 3863 of 2024

**Laxmi Singh Sardar
-versus
The State of West Bengal & Ors.**

**Mr. Rudranil De.
Mr. Subhronil Ghosh.
Mr. Anirban Das.
... for the Petitioner.**

**Mr. Lalit Mahan Mahato. AGP
Mr. Ziaul Haque.
... For the State.**

Affidavit-of-service filed in Court today in kept with the record.

The petitioner is the widow of a deceased Gram Panchayat employee. The employee died in harness on 6th March, 2009 after rendering one year seven months five days' service.

Pension Provident Fund was issued in the name of the deceased on 7th August, 2009. The gratuity amount has been paid. The petitioner seeks pension.

It has been submitted that as per law, as the employee was in service for more than continuous period of one year, accordingly, pension ought to have been paid to the widow.

A representation appears to have been made before the Director of Pension, Provident Fund and Group Insurance in January 2024 and the same is alleged to be kept pending.

It appears from the submission made on behalf of the petitioner and on perusal of the documents placed

before this Court that there has been enough delay on the part of the petitioner in approaching the Court. However, as the matter relates to grant of pension the cause of action continues.

In view of the above, the instant writ petition is disposed of by directing the respondent no. 3 to take a decision on the representation filed by the petitioner in accordance with law at the earliest but positively within a period of three months from the date of communication of this order. The reasoned order passed by the respondent no. 3 shall be communicated to the petitioner immediately thereafter.

Learned advocate for the petitioner is directed to forward a copy of the representation posted on 29th January, 2024 to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)