

09.02.2024
Court No.13
Item No. 214
AP

WPA 10126 of 2022

**Mamata Mondal
Vs.
The State of West Bengal & Ors.**

Mr. Md. Sanwar Jahan
Mr. Soumik Dey

... .. for the Petitioner.

Mr. Arindam Chattopadhyay

... .. for the DPSC, Nadia.

1. The writ petitioner is a widowed daughter of Late Nitya Gopal Mondal, Assistant Teacher of Siddheswari Toal Primary School, District – Nadia. She was married to one Ashok Kumar Mondal, who died on 18th January, 2012. The said Nitya Gopal Mondal died on 25th July, 1979 and thereafter the writ petitioner's mother Pramilabala Mondal received family pension till her death on 9th February, 2011.
2. The writ petitioner, being the widowed daughter of the deceased employee Nitya Gopal Mondal, is, therefore, entitled to family pension in terms of the decision of this Court in MAT 1518 of 2019 (The State of West Bengal and Ors. Vs. Sabita Roy) dated 20th June, 2023.
3. Therefore, the impugned order dated 12th July, 2018 shall stand set aside.
4. In that view of the matter, the respondent No.6

DPPG, West Bengal shall issue pension payment order to the writ petitioner. She shall be entitled to pension from the next date of death of her husband i.e. 19th January, 2012.

5. Let the respondent No.6, DPPG, West Bengal shall issue PPO to the writ petitioner within a period of one month from the date of service of a copy of this order along with a copy of this writ petition. The arrears of pension shall be paid to the writ petitioner within a period of three months from the issuance of the PPO.

6. With the aforesaid directions, the writ petition is disposed of.

7. There shall be no order as to costs.

8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)