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Ct
No24
AGM

06.08
.2024

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

WPA 13853 of 2024

**Bhabani Dolai
Vs
State of West Bengal & Ors.**

**Mr. Jayanta Kumar Das.
Ms. Madhumanti Das.
... For the petitioner.**

**Mr. Rabindra Nath Pal.
... For the State.**

The petitioner is the widow of a deceased primary school teacher. She prays for family pension.

From the documents annexed to the writ petition, it appears that the S.I. of Schools, Narayangarh East Circle by a communication dated 2nd March, 2021 requested the Chairman, DPSC, Paschim Medinipur to make necessary entry for family pension. The petitioner submits that thereafter no steps have been taken.

It is a settled law that pension including family pension is not bounty and valuable right in the hand of the employee and his family.

In the instant case, the teacher died on 24th February, 2020 but the widow is yet to receive family pension.

It appears that the petitioner has a minor daughter and a young son to maintain. Without the family pension it will be highly difficult for the petitioner to run her family.

In view of the above, the instant writ petition is disposed of by directing the D.I. of Schools (Primary Education), Paschim Medinipur to take prompt necessary steps to ensure that family pension is disbursed in favour of the heirs and legal representatives of the deceased teacher at the earliest but positively within a period of twelve weeks from the date of communication of this order.

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.)