

10.07.2024.
Court No.13
Item No. 33
ap

W.P.A. No. 14247 of 2024

**Minati Kora @ Minoti Kora & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Prasenjit Mukherjee,
Mr. Munjel Alam.

...For the petitioners.

Md. Mokaram Hossain,
Mr. Siddhartha Ghosh.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner nos.1 and 2 are the parents of Late Nepal Kora, Assistant Teacher, who died-in-harness on 26th September, 2022. The wife of the deceased, namely, Namita Let, pre-deceased him on 31st January, 2022. The petitioner no.3 is the minor daughter of the deceased. There could be a presumption that the petitioner nos.1 and 2 are the legal guardian of Anu Kora, minor daughter of the deceased Nepal Kora.
3. The legal heirs certificate of the deceased has been issued by the Office of the District Magistrate, Birbhum on 9th March, 2023.
4. In view of the above, this Court directs the Director of Pension, Provident Fund and Group Insurance, West Bengal to issue Pension Payment Order in favour

of the petitioner no.1 as legal guardian of the recipient of pension, Anu Kora, minor daughter of Nepal Kora.

5. The District Inspector of Schools (PE), Birbhum shall forward the particulars of the last drawn salary and benefits payable on account of the service of Nepal Kora to the Director of Pension, Provident Fund and Group Insurance, West Bengal within a period of ten days from the date of receipt of a copy of this order. The said Anu Kora shall continue to receive pension till such time she gets married. Upon Anu Kora attaining majority, the Pension Payment Order shall transfer in her name.

6. Let arrears of pension be paid to Anu Kora through her legal guardian Minati Kora from 1st November, 2022 within a month of issuance of Pension Payment Order along with interest at the rate of 7% per annum.

7. It is made clear that in the event any Court of competent jurisdiction decides another person as the lawful guardian of Anu Kora, the Pension Payment Order shall be transferred in the name of such person as the competent court may decide.

8. Instructions of the District Inspector of Schools (PE), Birbhum dated 20th May, 2024 addressed to the State Advocate filed in Court today are kept with the record.

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

10. There will be no order as to costs.

11. 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.)