

18.07.2024
Court No. 18
Item No. 52
(Suvendu)

WPA 18034 of 2024

Namita Rani Maity

-Versus-

The State of West Bengal & Ors.

Mr. Saktipada Jana

.....for the petitioner

Mr. Md. Mansoor Alam

Mr. Artira Ghosh

.....for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

The grievance of the petitioner is failure on the part of the concerned State respondents to sanction family pension in favour of the petitioner being the widow daughter of a deceased Group -D staff of a Government aided school.

The learned advocate appearing for the petitioner submits that father of the petitioner retired on 31st August, 1994 and he was in receipt of pension till his death on 4th February, 2019. Subsequently mother of the petitioner was receiving family pension till her death on 21st August, 2020. Petitioner being the widow

daughter is claiming family pension after the death of her mother and in this regard a representation dated 20th February, 2024 has been made to the District Inspector of Schools (SE), Purba Medinipur being respondent no. 4.

State respondents are represented by learned advocate who submits that if direction is given upon the respondent no. 4 decision shall be taken in accordance with law.

Accordingly, the writ petition is disposed of by directing the respondent no. 4 to take a decision in accordance with law on entitlement of petitioner to receive family pension being widow daughter of a deceased Group D staff of a Government aided school by eight weeks from the date of communication of this order upon taking a reasoned decision. Before taking such decision opportunity of hearing shall granted to the petitioner or her representative. The decision to be taken by the respondent no. 4 shall be communicated to the petitioner by one week thereafter. If the respondent no. 4 arrived at a decision which justifies sanction of family pension in favour of the petitioner, the respondent no. 4 shall consequently take steps immediately thereafter.

There shall be, however, no order as to
costs.

Urgent photostat certified copy of this
order, if applied for, be given to the parties on
usual undertakings.

(Saugata Bhattacharyya, J.)