

39 05.09.2024
NB Ct. 17

WPA 19241 of 2024

Smt. Anima Kayal
Vs.
The State of West Bengal & Ors.

Mr. Sajal Kanti Bhattacharyya,
Mr. Sandip Das,
Mr. Sarthak Burman.
...for the petitioner.

Mr. Srinath Singha Roy,
Mr. Kartik Chandra Kapas.
....for the State.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner's husband was working as a teacher in a blind school under the Department of Mass Education Extension, Government of West Bengal. He died on 12.12.2019 on the date of his superannuation. Family pension was granted. But, the disbursing authority did not take into account the Memorandum dated 02nd February, 2009 by which the pension was to be paid at a higher rate. A representation was accordingly made to the Director of Mass Education Extension, Kolkata, but no answer has been forthcoming.

Learned counsel appearing on behalf of the State submits that if any such representation is to be made, the authority before whom the same is to be done is the respondent no.2 being the concerned Assistant Director, Directorate of Pension, Provident Fund and Group Insurance, Finance Department, Government of West Bengal.

In view of the above, the writ petition is disposed of by granting opportunity to the petitioner to make appropriate representation before the respondent no.2 in this regard within a fortnight from this date.

Within four weeks from the date of receipt of such representation, the respondent no.2 shall consider and dispose of the representation in accordance with law. Within a week therefrom, the outcome of such consideration shall be intimated to the petitioner.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)