

21.02.2024.
Court No. 13
Item no. 42.
sp

W.P.A. No. 17657 of 2013

Smt. Ava Chakraborty
Versus
The State of West Bengal & Ors.

Mr. Pankaj Halder,
Mr. Subhendu Bhattacharjee,
Ms. Priyanka Chunari,
Ms. Sukanya Podder,
Ms. Joyeeta Adhikary

..for the petitioner.

Mr. Bhaskar Prasad Vaisya,
Mr. Suman Dey

..for the State

1. The petitioner is a unmarried daughter of late Purna Chandra Chakraborty. He retired on May 1, 1979.
2. The petitioner's father was not paid pension as the State was of view that the persons who worked prior to 1981 were not covered under the DCRB scheme of the State.
3. However, pursuant to a Full Bench decision of this Court in the case of ***The State of West Bengal and others Vs. Sabita Roy*** in ***MAT 608 of 2021*** dated ***20.06.2023*** it was held that unmarried daughters as well as those employees who retired prior to 1981 would also be entitled to pension.

4. In that view of the matter, the petitioner shall be entitled to pension on account of her late father with effect from the date of his death, i.e., January 1, 1999.
5. Let arrears of the pension be paid to the petitioner within a period of 3 months from date.
6. Let PPO be issued by the DPPG, in favour of the petitioner within 4 weeks from date.
7. In the facts and circumstances of the instant case, this Court is not inclined to any interest to the petitioner.
8. With the aforesaid observations, the writ petition is disposed of.
9. There will be no order as to costs.
10. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Rajasekhar Mantha, J.)