

07.08.2024.

PB

Sl. No.60.

Ct. No.14.

**In The High Court At Calcutta
Constitution Writ Jurisdiction
Appellate Side**

WPA 19479 of 2024

**Smt. Sandhya Mukherjee
Versus
The State of West Bengal & Ors.**

Mr. Saibal Acharyya,
Mr. Sankar Halder.

.....for the petitioner.

Mr. Subrata Guha Biswas,
Ms. Keya Sutradhar.

.....for the State.

Affidavit of service filed in Court is taken on record.

The petitioner claims to be the widow daughter of a deceased primary school teacher. She claims family pension.

The Larger Bench of this Court in the matter of MAT 1518 of 2019, I.A. CAN No.2 of 2019 (Old No.10437 of 2019) State of West Bengal & Ors. Vs. Sabita Roy has laid down that the benefit of family pension can be extended to the widow daughter of the employee who superannuated or died prior to coming into force of the Death-cum-Retirement Benefit Scheme, 1981.

In view of the law laid down by the Larger Bench of this Court, the District Inspector of Schools (P.E.) Nadia is directed to process the claim of the petitioner for family pension.

The aforesaid respondent shall act in accordance with the law with regard to grant of family pension in the event there are more than one claimants.

The aforesaid respondent shall take steps in the matter at the earliest, but, positively within twelve weeks from the date of communication of this order. In the event the petitioner is found eligible to receive family pension, disbursement shall be made immediately thereafter.

The writ petition is disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties as early as possible.

(Amrita Sinha, J.)