

07 22.08.2024
rkd Ct.18

W.P.A. 20520 of 2024

Sushil Kumar Dutta

-vs-

The State of West Bengal & Ors.

Mr. Mukunda Lal Sarkar

....for the petitioner.

Mr. Suman Basu

....for the respondent no.6.

Mr. Ayan Banerjee,
Mr. Dilip Kumar Ghosh

....for the State.

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

The writ petition is heard in presence of the
learned advocates representing the petitioner, State
respondents and respondent no.6.

Petitioner has prayed for a direction upon
the concerned State respondents for correction of
name of the petitioner in the pension payment
order which was issued on 27th June, 2013 for
releasing pension in favour of wife who was a
retired teacher.

The learned advocate for the petitioner
submits that his wife died on 22nd May, 2016;
therefore, he is entitled to receive family pension
but due to incorrect name recorded in the pension
payment order dated 27th June, 2013 petitioner is

not getting family pension.

In view of the grievance ventilated on behalf of the petitioner the Director of Pension, Provident Fund & Group Insurance being respondent no.2 is directed to take appropriate steps for correcting the name of the petitioner in the pension payment order dated 27th June, 2013 after considering the original documents which is to be submitted before the respondent no.2 on behalf of the petitioner.

Petitioner shall be granted an opportunity of hearing before taking decision relating to correction of name of the petitioner in the pension payment order and the decision of the respondent no.2 shall be communicated to the petitioner.

The aforesaid exercise shall be completed by the respondent no.2 by four weeks from the date of communication of this order.

If on production of relevant documents respondent no.2 is satisfied that there is requirement of correcting name of the petitioner in the pension payment order dated 27th June, 2013 consequential steps shall be taken by the respondent no.2 for issuance of revised pension payment order for early release of family pension in favour of the petitioner.

The writ petition stands disposed of.

However, there shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)