

22.11.2024
(D/L-04)
Ct.-19
(Susanta)

**IN THE HIGH COURT AT CLACUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. 21350 of 2024

Alpana Kar
-Vs-
The State of West Bengal & Ors.

Mr. Sourav Mitra,
Ms. Sreyasree Choudhury,
.... For the Petitioner.

Mr. Pankaj Halder,
Mr. Sanatan Panja,
.... For the State.

Affidavit-of-service filed on behalf of the petitioner
be kept with the record.

The petitioner is the unmarried daughter of a
deceased Assistant Teacher of Kultikri Board Primary
School, Purba Medinipur.

The father of the petitioner, on attaining the age of
superannuation, had retired from his said service on
September 30, 1978 and expired on May 18, 1989.

On the death of the father, the mother of the
petitioner was receiving the family pension and she also
died on December 28, 2013.

The petitioner thereafter, on June 26, 2024,
hadmade a representation before the District Inspector of
School (Primary Education), Purba Medinipur, the
respondent no. 4 herein for grant of such family pension,
the said representation forms part of the writ petition
being Annexure 'P-4'.

The petitioner is praying disposal of the said representation.

The right of the unmarried daughter of a deceased teacher to get the family pension has been recognized by the Special Bench of this Court in MAT 1518 of 2019 **(State of West Bengal & Ors. Vs. Sabita Roy.)**

The respondent no. 4, therefore, is directed to consider and dispose of the said representation of the petitioner as expeditiously as possible in accordance with law.

In the event the petitioner is otherwise found eligible for such family pension, the said respondent no. 4 shall take forward steps for disbursement of the said amount.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

W.P.A. 21350 of 2024 is thus disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)