

22.11.2024
(D/L-05)
Ct.-19
(Susanta)

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

W.P.A. 26839 of 2024

Archana Khatua

-Vs-

The State of West Bengal & Ors.

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

Mr. Manas Kundu,
Mr. Sankha Prasad Ray,
.... For the State.

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

The petitioner is one of the daughters of a deceased
Assistant Teacher of Shoulbheri Primary School, District:
Purba Medinipur, she is a widow.

The father of the petitioner died-in-harness on
June 29, 1975, on his death, his widow started receiving
the family pension and she also has died on March 01,
2001.

The petitioner, being the widowed daughter, on
January 04, 2023, has applied for family pension before
the District Inspector of Schools (Primary Education),
District: Purba Mednipur, the respondent no. 4 herein,
the said representation forms part of the writ petition,
being Annexure 'P-3'.

The petitioner is praying disposal of the said
representation.

Mr. Manas Kundu, learned advocate for the State submits that the petitioner since is not the sole heir of the said deceased teacher, the No-objection certificate from the other heirs of the said deceased teacher would be necessary to consider the prayer of the petitioner.

Mr. Mitra, learned advocate for the petitioner submits that the said No-objection certificate, not being a relevant consideration in granting the family pension to the petitioner, is not necessary.

Be that as it may, the respondent no. 4 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 found otherwise eligible for such family pension, the said respondent 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. 26839 of 2024 is 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.)