

ML21
December, 2024
sandip
Ct. 19
09.12.2024

*In The High Court At Calcutta
Constitutional Writ Jurisdiction*

W.P.A. 28524 of 2024

Kajalbala Nayek

Vs.

The State of West Bengal & Ors.

Mr. Sakti Pada Jana,
Mr. Subhajyoti Das ... For the petitioner.

Mr. Vijay Agarwal ... For the State.

The petitioner is the widowed daughter of a Head Teacher of a Primary School under DPSC Purba Medinipur.

The said teacher, on attaining the age of superannuation, had retired from the said service on April 30, 1972 and had died on October 10, 1982. The mother of the petitioner has also died on December 29, 2012.

The petitioner is praying family pension.

Mr. Das, learned advocate for the petitioner submits that in view of the judgment of the Special Bench of this Court in the case of **THE STATE OF WEST BENGAL & ORS. vs. SABITA ROY**, the petitioner is entitled to the family pension, as prayed for.

Be that as it may, the petitioner is at liberty to lodge a formal claim for such family pension before the school authority, **within a week from date**; and if such an application is made, the school authority shall immediately transmit the same along with other relevant papers to the District Inspector of Schools (P.E.), District: Purba Medinipur, the respondent no. 3 herein, who shall thereafter take steps to dispose it of expeditiously, in accordance with law, preferably within a period of **four weeks** from the date of receipt of the said application.

W.P.A. 28524 of 2024 is disposed of with the above terms without any order as to costs.

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.)