

03.04.2024.
Court No. 13
Item no. 143
pk

W.P.A. No. 27997 of 2023

Tapati Sen
Versus
The State of West Bengal & Ors.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee,
Mr. Soumik Dey,
Mr. Tapati Saha

..For the petitioner.

Mr. Saibal Acharyya,
Mr. Tanweer J. Mandal
... For the DPSC, Purba Bardhaman

Mr. Debabrata Banerjee,
Mr. Supriya Majumder
... for the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner is the unmarried daughter of late Santosh Kumar Sen, who was an Assistant Teacher under the State. The petitioner's father did not receive pension after he died on 2nd December, 1990. Thereafter, the petitioner's mother also did not receive pension until she died on 08.04.2004.
3. The petitioner applied for arrear of her mothers and father's pension and also pension as an unmarried daughter of the late Santosh Kumar Sen which is stated to have been rejected by the State. The petitioner came to know about her

entitlement of pension account of her father's service after the decision of a three Judge Bench decision of this Court in MAT 1518 of 2019 (State of West Bengal Vs. Sabita Roy) delivered on 20.06.2023, the petitioner is entitled to pension.

4. In those circumstances, the DPPG shall issue Pension Payment Order in favour of the petitioner within one month from the date of receipt of a copy of this order to the petitioner and pay her arrears from the next day of the retirement of her father till date together with interest @ 5 per cent per annum. Arrears be paid along with interest within one month thereafter.
5. The impugned order denying the pension of the petitioner is set aside.
6. With the aforesaid directions, the instant writ petition shall stand disposed of.
7. There will be no order as to costs.
8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)