

01.10.2024
Court No.2
Sl. No.51
KB

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 2216 of 2024

**Swapna Ray
-versus
The State of West Bengal & Ors.**

**Mrs. Sabita Khutia (Bhunya)
...For the Petitioner.**

**Mr. Subir Kumar Saha, Ld. AGP
Ms. Pratusha Dutta Choudhury
...For the State.**

1. The petitioner is the widow of a gram panchayet employee who retired from service on 31st January, 2017 and died on 10th June, 2021. As the employee did not complete the qualifying service period of ten years for receiving pension, he was held ineligible to receive the same. The widow has approached the Court with a prayer to condone the shortfall in the qualifying service period of her deceased husband.

2. The Court is not inclined to accept the submission of the widow because the employee himself was alive for nearly four years after his retirement. Had he been aggrieved with the non-granting of pension on account of shortfall in his qualifying service period, he ought to have approached the Court praying for condonation of the same. The employee remains silent.

After the death of the employee in June, 2021, the widow made a representation in September, 2024 seeking condonation of the shortfall in the service period of her deceased husband.

3. The Court is inclined to interfere in the matter.

4. The writ petition fails and is hereby dismissed.

5. Urgent certified photocopy of this order, if applied for, be supplied to the parties upon compliance of usual legal formalities.

(Amrita Sinha, J.)