

S/L 3
03.12.2024
Court No.2
SD

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

WPA 2413 of 2024

Smt. Bandana Bagchi
Vs.
The State of West Bengal & Ors.

Mr. Sakti Pada Jana
Mr. Debajit Kundu

...for the Petitioner.

Mr. Anirban Banerjee
Mr. Pradip Sarkar

...for the State.

In compliance with the direction dated November 29, 2024, *Sri Sujit Sarkar*, the District Inspector of Schools (PE), Alipurduar, the respondent no.5 herein, is personally present before this Court; his such appearance is dispensed with until further order(s).

In view of the judgment of the Special Bench of this Court in the case of ***State of West Bengal & Ors. vs. Sabita Roy***, the order impugned dated December 22, 2021 rejecting the prayer of the petitioner for family pension, passed by the Assistant Director of Accounts, Directorate of Accounts, School Education Department, the respondent no.4 herein, is not sustainable and is accordingly set aside.

Mr. Banerjee, learned advocate for the State files report of the respondent no.5 dated December 02, 2024; let it be kept with the record.

It appears from the said report that the family pension papers of the petitioner has been re-submitted to the Deputy Director of Accounts, School Education Department, Government of West Bengal, the respondent no.3 herein on December 02, 2024.

The respondent no.3 is directed to take necessary steps on the said pension papers expeditiously, and to return the same to the respondent no.5 again, who in turn, shall send the said pension papers to the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal, the respondent no.7 herein. The said respondent shall thereafter take steps for issuance of Pension Payment Order in favour of the petitioner without any further delay.

WPA 2413 of 2024 is disposed of with the above terms without any order as to costs.

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

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 of all requisite formalities.

(Biswajit Basu, J.)