

01.12.2025
Sl. No.6
Ct. No.14
ss

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

W.P.A. No. 1391 of 2025

**Kalpana Mukherjee
Versus
The State of West Bengal & Ors.**

Mr. Sandip Ghosh
Mr. Partha Sarkar

... for the petitioner

Mr. Rabindra Nath Bag
Mr. Kinkar Kumar Bhattacharya

...for the State.

1. By the present writ petition the petitioner seeks for setting aside and/or withdrawal/ cancellation of the order dated 10th August, 2023 issued by the District Inspector of Schools (PE), Purba Bardhaman being annexure P8 to the writ petition rejecting the prayer of the petitioner, being an unmarried daughter, for entitlement to family pension.
2. The petitioner contends that late Haranarayan Mukherjee, her deceased father, was a Headmaster of Hitta Junior Basic School, Hitta, P.O. Khana Junction, Police Station Galsi, District Purba Bardhaman, who died in harness on 4th December, 1973 leaving behind his wife Tulsi Mukherjee and three sons, namely, Tapan Mukherjee, Tapas Mukherjee and Tarak Mukherjee and two daughters

namely, Kalpana Mukherjee, the petitioner herein and Manabi Mukherjee. The family pension was issued in favour of the mother of the petitioner. The petitioner's mother died on 20th May, 2022. The petitioner at the time of death of her mother was working as an I.C.D.S. worker on a contractual basis and she superannuated on 31st January, 2023 upon reaching the age of 65 years. The petitioner is an unmarried daughter of the deceased employee. The petitioner made an application on 18th July, 2023 for grant of family pension before respondent no.2, District Inspector of Schools (PE), Purba Bardhaman. However, the prayer of the petitioner was turned down vide letter under Memo No.535 dated 10th August, 2023. Being aggrieved by and dissatisfied with such order the petitioner has preferred the present writ petition.

3. Mr. Sandip Ghosh, learned Advocate appearing on behalf of the petitioner submits that by the decision of the Larger Bench of this Hon'ble Court passed in *MAT 1518 of 2019 (State of West Bengal & ors. -versus- Sabita Roy & ors.)* along with other appeals and writ petitions, an unmarried daughter is entitled to family pension in case of an employee retired prior to 1st April, 1981 or after 1st April, 1981. He seeks for appropriate direction upon the concerned authority for issuing family pension in

favour of the petitioner, who is the unmarried daughter of the deceased employee, upon setting aside the order dated 10th August, 2023 of respondent no.2, District Inspector of Schools (PE), Purba Bardhaman.

4. Mr. Rabindra Nath Bag, learned Advocate appearing on behalf of the State-respondent submits that already orders have been passed by the concerned District Inspector of Schools on 12th November, 2025 directing the Sub-Inspector of Schools, Galsi Circle, Purba Bardhaman, respondent no.3, to prepare the family pension of the unmarried daughter namely, Kalpana Mukherjee, who is the petitioner herein. He files a report submitted by the District Inspector of Schools, Primary Education, Purba Bardhaman dated 13th November, 2025, which is taken on record.
5. In view of the above, the Sub-Inspector of Schools, Galsi Circle, Purba Bardhaman, respondent no.3 is directed to take appropriate steps in terms of letter dated 12th November, 2025 issued by respondent no.2, District Inspector of Schools, Primary Education, Purba Bardhaman, within a period of three weeks from the date of communication of this order.
6. Learned advocate for the petitioner is directed to communicate this order to the respondent no.2, the

District Inspector of Schools, Primary Education, Purba Bardhaman and respondent no.3, the Sub-Inspector of Schools, Galsi Circle, Purba Bardhaman, for necessary action.

7. With the above direction, the writ petition being **WPA 1391 of 2025** stands disposed of.
8. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
9. Interim order, if any, stands vacated.
10. All connected applications, if any, stand disposed of.
11. There shall be no order as to costs.
12. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
13. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)