

1 04.08.2025
SM Court No.759

WPA 3075 of 2025

**Sadhana Bera
Vs
The State of West Bengal & Ors.**

Mr. Debasis Sur
Mr. Lakshminath Bhattacharya
Mr. Banshi Badan Maity

... for the petitioner

Ms. Sumitra Das

... for the State

Affidavit of service filed on behalf of the petitioner
be kept with the record.

The father of the petitioner was an Ex-Head
Teacher of a Primary School under Purba Medinipur
District Primary School Council. On attaining the age
of superannuation he had retired from the said service
on February 29, 1988 and had died on November 10,
1994. The mother of the petitioner was pre-deceased
on 06.01.1994.

The petitioner being the widowed daughter of the
said deceased teacher is praying for family pension.

The representation of the petitioner dated
September 20, 2024 praying for such pension is
pending consideration before the District Inspector of

Schools, Primary Education, Purba Medinipur, the respondent no.5 herein. The said representation forms part of the writ petition being annexure 'P-4'.

The right of the widowed daughter of a deceased teacher to get the benefit of family pension has been recognized by the Special Bench of this Court in the case of State of West Bengal & Ors. Vs. Sabita Roy (MAT 1518 of 2019). The said decision has been affirmed by the Hon'ble Supreme Court in Special Leave Petition (Civil) Diary No(s) 30809 of 2024.

The respondent no.5 is directed to consider and dispose of the said representation expeditiously, in accordance with law and in the event it is found that the petitioner is entitled to such pension, the said respondent shall take forward steps for issuance of pension payment order.

The writ petition being WPA 3075 of 2025 is thus disposed of with the above terms without any orders as to costs.

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

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of the order, if

applied for, be given to the parties, upon usual undertakings.

(Rajarshi Bharadwaj, J.)