

04.03.2025
Court No. 18
Item No. 20
(Suvendu)

WPA 3707 of 2025

Chandana Sarkar
-Versus-

The State of West Bengal & Ors.

Mr. Dilip Kumar Maiti
.....for the petitioner

Mr. Kushal Biswas
...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Petitioner is an unmarried mentally disabled daughter of a deceased retired teacher, who superannuated on 31st January, 1996 and died on 16th October, 2006. Father of petitioner was in receipt of pension and after death of father of petitioner her mother was receiving pension till her death on 10th August, 2018. It is contended on behalf of the petitioner that being unmarried mentally challenged daughter of the deceased retired teacher she is entitled to receive family pension from the date following date of death of her mother.

However, it is submitted that the authority of Raninagar High School (HS), Murshidabad where father of the petitioner was working could not upload the necessary documents on portal

since petitioner is not having Aadhaar Card. It is also submitted that Biometric procedure could not be completed for issuance of Aadhaar Card in favour of the petitioner due to mismatch of particulars. However, in support of claim of the petitioner a certificate issued by the District Magistrate and Collector, Murshidabad dated 28th November, 2024 is relied upon, which is at page 13 of the writ petition, wherefrom it appears that petitioner is the only unmarried daughter of the deceased teacher.

In view of the special circumstances as existing since petitioner is an unmarried mentally challenged daughter of a deceased retired teacher, authorities of Raninagar High School (HS), Murshidabad, being respondent nos. 6 and 7 are directed to submit hard copies of the relevant documents before the District Inspector of Schools (SE), Murshidabad being respondent no. 2 by fortnight from the date of communication of this order. On receipt of papers relating to family pension of the petitioner, respondent no. 2 is directed to take necessary steps for settling family pension in favour of the petitioner by fortnight thereafter and forward the relevant papers to the Director of Pension, Provident Fund and Group

Insurance being respondent no.3 for issuance of Pension Payment Order by ten days thereafter. On receipt of relevant documents, respondent no. 3 is directed to issue Pension Payment Order in favour of the petitioner by fortnight thereafter.

State authorities are directed to release family pension in favour of the petitioner at an early date but not later than twelve weeks from the date of communication of this order.

Writ petition stands disposed of, without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)