

11th March, 2025
(D/L No.13)
Ct. No.4
(SKB)

W.P.S.T.22 of 2024

Smt. Shailabala Mondal
Versus
The State of West Bengal and others

Mr. Mukteswar Maity,
Ms. Nupur Chaudhuri
....for the petitioner.

Mr. Tapan Kr. Mukherjee, ld. AGP,
Ms. Sangeeta Roy
... for the State.

Mr. Sourav Mondal,
Mr. S. Pal
... for the respondent no.5.

1. The petitioner is the wife of one Ramkrishna Mondal who served the respondent State as a work charged employee for a period of seven years one month twenty-two days. He attained the age of superannuation on 07.04.2004. More than six years thereafter, he passed away on 30.06.2010.
2. In the year 2022, the present petitioner filed the Original Application being O.A.39 of 2022 before the West Bengal Administrative Tribunal (in short 'Tribunal') claiming benefit of arrears of pension and family pension. O.A.39 of 2022 filed by the petitioner was found by the Tribunal devoid of any merit. The O.A. was dismissed on 19.05.2023. The order of the Tribunal is assailed in the present writ proceedings.
3. The learned counsel for the petitioner submits that since the husband of the present petitioner has rendered service in the State, even if it is as work charged employee, he is entitled to be paid

pension during his lifetime, which given rise to claim to the petitioner for arrears. The petitioner is also entitled to grant of family pension after demise of the petitioner's husband.

4. The learned counsel is, however, not in-a-position to place reliance on any provision under D.C.R.B. Rules, 1971 wherein a person who served as a work charged employee as a "seasonal Belder" for seven years one month and twenty-two days would be entitled to grant of pensionary benefits. He is also not in-a-position to clarify as to under what circumstances the claim was raised by the petitioner by filing the Original Application 12 years after the unfortunate demise of her husband.
5. In the above circumstance, we do not find any infirmity in the order of the West Bengal Administrative Tribunal rejecting the O.A.39 of 2022.
6. The writ petition is, accordingly, dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)