

13.03.2024.
Court No. 13
Item no. 65.
pk

W.P.A. No. 3633 of 2024

Bijali Mohanta
Versus
The State of West Bengal & Ors.

Mr. Hemanta Kumar Das
..For the petitioner.

Mr. Arindam Chattopadhyay
... For the DPSC, Nadia.

Mr. Suman Basu
... For the respondent no. 9.

Mr. Nirmalya Biswas
... For the State

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner is an unmarried daughter of late Abani Bhusan Mohanta, who was an Assistant Teacher under the State. The petitioner's father received pension until he died on 18th August, 1992. Thereafter, the petitioner's mother was issued Pension Payment Order and continued to receive pension until she died on 07.11.2018.
3. The petitioner applied for pension as an unmarried daughter of the late Abani Bhusan Mohanta which is stated to have been rejected by the State. The petitioner came to know about the rejection from the Office of the D. I. of Schools (PE), Nadia in the year 2019.
4. Since the right of an unmarried daughter to

pension on account of her father's service upheld in MAT 1518 of 2019 delivered on 20.06.2023, the petitioner is entitled to pension.

5. In those circumstances, the DPPG shall issue Pension Payment Order within one month from the date of receipt of a copy of this order to the petitioner and pay her arrears from the next date of death of her mother till date together with interest @ 5 per cent per annum. Arrears be paid along with interest within one month thereafter.
6. The impugned order denying the pension of the petitioner is set aside.
7. Report filed by the D. I. of the Schools (PE), Nadia dated 19.02.2024 is taken on record.
8. With the aforesaid directions, the instant writ petition shall stand disposed of.
9. There will be no order as to costs.
10. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)