

Court No. 2
29.4.2025
(Item No. 32)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 4386 of 2025

Purnima Sarkar
VS
The State of West Bengal & Ors.

Mr. Sardar Amjad Ali
Mr. Puranjan Pal
.... For the petitioner
Mr. Biswajit De
Ms. Molly Saha
.... For the State

Affidavit-of-service, filed in Court today, is taken on record.

Mr. Puranjan Pal, learned advocate led by Mr. Amjad Ali, learned senior advocate appears for the petitioner.

Mr. Biswajit De, learned advocate with Ms. Molly Saha, learned advocate appear for the State respondents.

The petitioner being an unmarried daughter of a State employee claims family pension. The father of the petitioner who was a State employee died on **May 10, 1984**. Thereafter the widow of the employee being the mother of the petitioner had received family pension during her life time. The mother died on **October 13, 2019**. After demise of the mother the petitioner now claims family pension as an unmarried daughter. The petitioner submitted a representation

dated **July 19, 2021, annexure P-5 at page 25** to the writ petition, the same has not been disposed of.

Mr. Puranjan Pal, learned advocate appearing for the petitioner referring to **annexure P-9 at page 37** and **annexure P-10 at page 38** to the writ petition submits that on **February 15, 2022** and **May 12, 2022** the State authorities have already taken cognizance on the issue but till date no result has arrived at.

After considering the submissions made on behalf of the parties and upon perusal of the materials on record the respondent no. 3 is directed upon issuing a prior notice of hearing of at least seven days to the petitioner and after granting her an opportunity of hearing shall dispose of the said representation date **July 19, 2021, annexure P-5 at page 25** to the writ petition by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the respondent no. 3 positively within a period of **six weeks** from the date of communication of this order and the reasoned order shall be communicated to the petitioner within a further period of **one week** from the date of the said reasoned order to be passed.

The petitioner shall be entitled to participate in the hearing before the respondent no. 3 through her duly authorized representative.

It is made clear that, this Court has not gone into the merits of the claim of the petitioner in any manner and the petitioner shall be at liberty to urge whatever points she wishes to urge by relying upon whatever records and documents she wishes to rely upon before the respondent no. 3.

In the event, the reasoned order goes in favour of the petitioner, the appropriate State authority/authorities shall give an immediate effect thereto but positively within a period of **four weeks** from the date of the said reasoned order to be passed.

It is made clear that, this order shall not create any right or equity in favour of the petitioner, if the petitioner does not succeed to her claim before the respondent no. 3 strictly in accordance with law.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

It is needless to mention that, if necessary, the respondent no. 3 shall be at liberty to peruse a copy of this writ petition with all its annexures at the time of hearing.

With the above observations and directions, this writ petition, **WPA 4386 of 2025** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)