

10.03.2025
Item No.07, DL
Court No.19
AJ.

**IN THE HIGH COURT AT CLACUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 4595 of 2025

Jamuna Bala Samanta

-Vs-

The State of West Bengal & Ors.

Mrs. Sabita Khutia (Bhunya),
Mr. Krishna Pada Santra.
.....for the Petitioner.

Mr. Dipanjan Datta, Ld. Sr. Govt. Adv.,
Mr. Sayan Datta.
.....for the State.

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

The father of the petitioner was a Head
Teacher of a primary school under Purba Medinipur
District Primary School Council, the respondent no.5
herein, on attaining the age of superannuation the
father of the petitioner had retired from his said
service on April 30, 1967 and had died on April 04,
2004. The mother of the petitioner had also died on
November 05, 2013.

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

A representation of the petitioner to the said
effect is pending consideration before the District
Inspector of School (Primary Education), Purba
Medinipur, the respondent no. 4 herein. The said
representation forms part of the writ petition being
Annexure 'P-7'.

The right of an unmarried/widowed daughter of a deceased teacher to get the benefit of family pension has been recognized by the Special Bench of this Hon'ble 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. 4, therefore, is directed to consider and dispose of the said representation of the petitioner expeditiously, in accordance with law and in the event the petitioner is found to be otherwise eligible for such pension, the said respondent shall take forward steps for issuance of necessary Pension Payment Order.

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

W.P.A. 4595 of 2025 is disposed of with the above terms and observations without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)