

11 27.03.2025  
rkd Ct.18

W.P.A. 4655 of 2025

Kajal Mishra

-vs-

The State of West Bengal & Ors.

Mr. Soumen Dutta,  
Mr. Shubham Dutta,  
Ms. Juthika Barman

....for the petitioner.

Mr. Biswabrata Basu Mallick

....for the State.

In terms of the order dated 19<sup>th</sup> March, 2025 a report is filed by the District Inspector of Schools (SE), Purba Medinipur wherefrom it appears that Ramakanta Mishra retired non-teaching staff died on 14<sup>th</sup> August, 2024 and the petitioner could not produce legal heir certificate in support of her claim to receive family pension.

It is stated in the report dated 21<sup>st</sup> March, 2025 that spouse is eligible for family pension provide her name is included in the nominee section of PPO.

On perusal of the report dated 21<sup>st</sup> March, 2025 it transpires that retired non-teaching staff died on 14<sup>th</sup> August, 2024 but in paragraph 3 of the writ petition it is averred by the petitioner that said retired non-teaching staff died on 5<sup>th</sup> August, 2024 based on one death certificate date 22<sup>nd</sup> August,

2024 wherein it is stated that date of death is 5<sup>th</sup> August, 2024.

Petitioner shall be at leave to obtain legal heir certificate from the concerned authority and in the event legal heir certificate is issued in favour of the petitioner she shall also be at leave to take steps for receiving family pension on submission of legal heir certificate before the District Inspector of Schools (SE), Purba Medinipur.

With the aforesaid observation the writ petition stands disposed of.

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

**(Saugata Bhattacharyya, J.)**