

27.03.2025
(D/L 12)
Ct.-19
(Susanta
Samar)

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

APPELLATE SIDE

W.P.A. 5649 of 2025

Purnima Chatterjee

-Vs-

The State of West Bengal & Ors.

Mr. Goutam Kumar Maity,

.... For the Petitioner.

Mr. Debnarayan Patra,

Ms. Pritikana Gantait,

.... For the State.

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

The father of the petitioner was an Assistant Teacher of a primary school under North 24-Parganas District Primary School Council, on attaining the age of superannuation he had retired from his said service on January 31, 1981 and died on October 04, 1993. The mother of the petitioner thereafter started receiving the family pension but she has also died on January 18, 2013.

The petitioner being the unmarried daughter of the deceased teacher has applied for family pension.

In view of the judgment of the Special Bench of this Court in the case of ***The State of West Bengal Vs. Sabita Roy*** (MAT 1518

of 2019), the right of the petitioner to get such family pension has been crystallized.

The learned advocate for the State files the instruction which he has received from the District Inspector of Schools (P.E.), District 24-Parganas (North), the respondent no. 5 herein, the said instruction dated March 19, 2025 is taken on record.

It appears from the said instruction that the said respondent has taken note of the said judgment of the Special Bench and has requested the petitioner to produce the heirship certificate of the deceased teacher to process the claim of the petitioner.

The petitioner is directed to produce the said certificate as expeditiously as possible. Upon production of such certificate the respondent no. 5 shall take steps to process the pension papers of the petitioner and shall thereafter take forward steps for issuance of pension payment order in favour of the petitioner.

W.P.A. 5649 of 2025 is disposed of with the above terms without any order as to costs.

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

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

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.)