

19.03.2025
(D/L 10)
Ct.-19
(Susanta
Samar)

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

APPELLATE SIDE

W.P.A. 5815 of 2025

Mafuja Bibi

-Vs-

The State of West Bengal & Ors.

Mr. Sudipta Maiti,

... For the petitioner.

Sk. Mujibar Rahaman,

Mr. Arun Kumar Ghosh,

.... 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
Paschim Medinipur District Primary School
Council on attaining the age of superannuation
he had retired from the said service on
December 31, 1987 and had died on October
12, 2001 on his death his widow, the mother of
the petitioner used to receive the family pension
but she has also died on January 03, 2023.

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

The representation of the petitioner dated
May 17, 2024 praying such pension is the

pending consideration before the District Inspector of Schools, Primary Education, Paschim Medinipur, the respondent no. 4 herein. The said representation forms part of the writ petition being annexure 'P-4'.

The right of the widowed daughter of a deceased teacher to get the benefit of family pension has been recognized by the Special Bench of this 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 is directed to consider and dispose of the said representation expeditiously, in accordance with law and in the event it is found that the petitioner is entitled to such pension, the said respondent shall take forward steps for issuance of pension payment order.

W.P.A. 5815 of 2025 is thus, disposed of with the above terms without any orders 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.)