

08.04.2025
Court No. 18
Item No.04
(Suvendu)

WPA 7626 of 2025

Archana Maity
-Versus-

The State of West Bengal & Ors.

Mr. Dilip Kumar Sadhu
.....for the petitioner

Mr. Suddhadeb Adak
Mr. S. Chattopadhyay
.....for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Petitioner claiming to be unmarried daughter of a deceased primary teacher has laid claim for sanction of family pension since father of petitioner died on 4th October, 2023 and mother predeceased father on 13th July, 2022. On behalf of the petitioner it is submitted that Legal Heirs Certificate dated 23rd December, 2024 issued by the appropriate authority supports the case of the petitioner and a certificate has also been issued by the Block Development Officer, Tamluk, Purba Medinipur on 21st March, 2025 certifying that monthly income of the petitioner is Rs. 3000/- (Rupees three thousand). It is further submitted that an application has been made for sanction of family pension in favour of the petitioner on 20th

December, 2024 addressed to the District Inspector of Schools (PE), Purba Medinipur being respondent no. 4 and same has not yet been decided.

State respondents are represented by learned advocate and it is submitted that since an application for family pension has been made by the petitioner same may be decided in accordance with law.

Having considered the submissions made on behalf of the parties, writ petition stands disposed of directing respondent no. 4 to decide application of the petitioner claiming family pension which is at page 18 of the writ petition in accordance with law by four weeks from date of communication of this order after granting opportunity of hearing to the petitioner or her representative. At the time of taking such decision petitioner shall be at liberty to rely upon all relevant documents based on which she has laid claim for sanction of family pension. Decision to be taken by respondent no. 4 shall be communicated to the petitioner by seven days thereafter. If family pension of the petitioner is allowed in that event respondent no. 3 and respondent no. 4 are directed to take necessary steps for early release of family pension in favour

of the petitioner on compliance of necessary formalities.

Writ petition stands disposed of.

There shall be, however, no order as to costs.

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

(Saugata Bhattacharyya, J.)