

9.
(DL)

11.07.2025
Ct. No. 18
(ARPAN)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. 10532 OF 2025

Dilip Karmakar
Vs.
The State of West Bengal & Others

Mr. Tarun Kumar Das, Adv.
Mr. Haripada Nayak, Adv.

...for the Petitioner

Mr. Debajyoti Dutta, Adv.
Mr. Hemanta Kumar Das, Adv.

...for the State

Mr. Dipankar Dandapath, Adv.

...for School Authority

1. Affidavit-of-service filed on behalf of petitioner is taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioner, State respondents and authorities of Gujarpur Girls High School, Howrah being respondent nos.7 and 8.
3. Petitioner is a differently abled son of a deceased teacher of a Government aided school. Father of the petitioner retired on 31st January, 2004 and thereafter was receiving pension. Father of the petitioner died on 18th August, 2012 and thereafter mother was in receipt of family pension. Thereafter mother of the petitioner died on 18th October, 2018.

4. It is contended on behalf of the petitioner that due to death of mother, petitioner being differently abled son is entitled to receive family pension.
5. Today during course of hearing a letter dated 8th December, 2023 issued by the Headmistress of the aforesaid school, addressed to the District Inspector of Schools (S.E.), Howrah being respondent no.5 is placed before this Court wherefrom it appears that the school authority is awaiting forwarding of pension file from the office of the respondent no.5 for re-submission of relevant documents in order to finalize family pension case of the petitioner. Instead of waiting for pension file of the father of the petitioner said school authority could have submitted relevant documents before respondent no.5 for settling family pension case of the petitioner.
6. Respondent no.8 is directed to submit all the relevant documents including legal heir certificate before respondent no.5 by seven (7) days from the date of communication of this order. On receipt of relevant documents respondent no.5 shall finalize family pension case of the petitioner in the event legal heir certificate and income certificate are placed before respondent no.5 along with other documents.

7. Petitioner shall also be at leave to submit necessary documents in support of his claim of settlement of family pension case before the respondent no.5 by seven (7) days from date.
8. If all necessary documents are submitted before the respondent no.5 relating to family pension case of the petitioner, said respondent no.5 shall finalize the family pension case of the petitioner by four (4) weeks thereafter and forward the same to the Director of Pension, Provident Fund and Group Insurance being respondent no.3 by fortnight thereafter. On receipt of relevant documents from respondent no.5 respondent no.3 shall issue pension payment order by four (4) weeks thereafter.
9. Letters dated 8th December, 2023 and 8th September, 2022 issued by the Head of the Institution filed today on behalf of the school authority are taken on record.
10. With the above directions, writ petition stands disposed of.
11. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)