

06.01.2025
(M/L 04)
Ct.-19
(Susanta)

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

APPELLATE SIDE

W.P.A. 12007 of 2024

Ataher Mirja

-Vs-

The State of West Bengal & Ors.

Mr. Syed Shamsul Arefin,

...For the Petitioner.

Ms. Ankita Dey,

...For the State.

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

Ms. Ankita Dey, appears on behalf of Mr. Avishek Prasad, learned advocate for the State.

The father of the petitioner was an approved Assistant Teacher of a Primary School, who on attaining the age of superannuation, had retired from the said service on July 27 1982 and had expired on November 7, 1994.

The mother of the petitioner did not receive family pension during her lifetime and had also expired on February 12, 2010.

The petitioner, being the widowed daughter of the said deceased Assistant Teacher, on October 25, 2023, has made a representation before the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal, the respondent no. 2 herein, for grant of

family pension, the said representation forms part of the writ petition being Annexure – P4.

The petitioner is praying disposal of the said representation.

The right of the petitioner to get the family pension has been recognized by the Special Bench of this Court in ***MAT 1518 of 2019 (State of West Bengal & Ors. Vs. Sabita Roy)***.

The respondent no.2 is directed to consider and dispose of the said representation as expeditiously as possible in accordance with law. In the event the petitioner is found otherwise eligible to get such family pension, the said respondent shall take forward steps for release of the said amount.

W.P.A. 12007 of 2024 is thus disposed with the above observations 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.

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.)