

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

09 26.06.2025
rkd Ct.18
Judgment

W.P.A. 12464 of 2025

Smt. Rina Roy

-vs-

The State of West Bengal & Ors.

Mr. Tarapada Das,
Mr. Chandan Dutta

....for the petitioner.

Mr. Soumitra Bandyopadhyay,
Mr. Srinath Singha Roy

....for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner being widow daughter has prayed for settlement of family pension in her favour due to death of her father on 1st December, 2023.
3. Father was a primary teacher who retired on superannuation on 31st May, 2002 and was in receipt of pension who subsequently died. Petitioner's husband also died on 3rd December, 2020 and it is submitted that petitioner is entitled to receive family pension being widow daughter due to death of her father.
4. State respondents are represented by learned advocate who has submitted that till date no legal heir certificate has been submitted before the concerned respondent authorities for processing

the claim of the petitioner for sanction of family pension.

5. Having considered the submissions made on behalf of the parties and on perusal of the writ petition, it appears that an application for issuance of legal heir certificate by competent authority has been made on 21st March, 2025 by the petitioner and till date legal heir certificate has not been issued.
6. Leave is granted to the petitioner to submit legal heir certificate along with other relevant documents before the District Inspector of Schools (PE), Paschim Bardhaman being respondent no.4 after legal heir certificate is issued in favour of the petitioner by competent authority. In the event relevant documents including legal heir certificate are submitted before the respondent no.4, it is expected necessary steps shall be taken for sanction of family pension to the petitioner within reasonable time thereafter.
7. Writ petition stands disposed of.
8. However, there shall be no order as to costs.
9. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)