

18-11-2025
Item No.223 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.14656 of 2024

Belarani Acharya

-vs-

The State of West Bengal & Ors.

Mr. Arijit Pradhan ...for the petitioner

Mr. Pradyot Kumar Das ...for the State

1. The petitioner's prayer for grant of family pension to her, being an unmarried daughter of the deceased teacher who died prior to 1981, is awaiting consideration before the District Inspector of Schools (SE), Tamruk, Purba Medinipur.
2. The father of the petitioner was a teacher who died-in-harness on June 12, 1962. The mother of the petitioner expired on July 31, 2011. The petitioner prays for grant of family pension relying on the law laid down by the Special Bench of this Court on **June 20, 2023** in **MAT No.1518 of 2019** with **IA No. CAN 2 of 2019 (Old CAN 10437 of 2019)** in the matter of **The State of West Bengal & Ors. – vs- Sabita Roy with MAT No.608 of 2021 with IA No. CAN 2 of 2021** in the case of **The Director of Pension, Provident Fund and Group Insurance and Others –vs- Kabita Sinha & Ors. etc.**
3. In the aforesaid judgment, the Court specifically laid down that the benefit of family pension can be extended to the unmarried/widowed daughter of an employee who died prior to coming into

force of the Death-cum-Retirement-Benefit Scheme, 1981.

4. The instant writ petition is, accordingly, disposed of by directing the concerned DI of Schools and the Director of Pension, Provident Fund & Group Insurance, West Bengal to consider the petitioner's prayer for grant of family pension strictly in accordance with law and in light of the law laid down by this Court in the aforesaid judgment, at the earliest but positively within a period of twelve weeks from the date of communication of this order. The benefit due to the petitioner shall be released without any further delay.
5. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
6. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

