

03.04.2025

DL-19

Ct. No. 25

S.K.

WPA 15385 of 2017

Ms. Chaitali Das

-Vs.-

The State of West Bengal & Ors.

Ms. Ajaya Mitra

Mr. Pronojit Roy

...for the petitioner

Md. Mansoor Alam

...for the State.

The petitioner is the widow of late Bikash Chandra Das, an erstwhile and now deceased Assistant Teacher of Chatina Primary/Junior Basic School. He has breathed his last on December 11, 2016 leaving the petitioner and one minor son as the legal heirs. Since thereafter, the petitioner has been making endeavours to receive the terminal benefits of the said deceased school teacher as well as the family pension, but to no avail.

The son of the deceased also desires to be considered as a candidate for appointment on compassionate ground, after death of his father. There is no progress as regards his application to that effect.

Hence, by filing the present writ petition, the petitioner has sought for relief that directions be

made upon the respondent authority to immediately release the terminal benefits of the deceased person as mentioned above, with the family pension and appointment of his son been granted on compassionate ground.

The petitioner as well as the respondent/ State are represented.

According to learned advocate, the petitioner has been directed by the Sub-Inspector of Schools to submit the requisite documents to the school which shall forward the same so that prayer of the petitioner for grant of retiral benefits of the deceased person as above as well as family pension, may be considered by the respondent authority.

It is submitted further that as per directions, the petitioner has duly deposited all the requisite documents before the authorities, but till date there is no redressal of her grievance by granting her the retiral benefits of her husband(since deceased).

Having heard the submissions and perused the records, it is found proper that the respondent no. 2/Birbhum District Primary School Council shall immediately consider the petitioner's case as above and decide thereupon by dint of a reasoned order.

For the purpose as above, the said respondent shall consider the present writ petition as the representation of the petitioner. Let a copy of the writ petition be immediately submitted in the office of the respondent no. 2 /Birbhum District Primary School Council.

The respondent no. 2 is directed to afford opportunity of hearing to the writ petitioner and conclude the entire proceedings by issuing a reasoned order, positively within a period of three weeks from the date of receipt of copies of the writ petition along with this order in its office.

The decision shall be communicated to the writ petitioner within one week from the date of the same.

With the above directions and observations, the writ petition being WPA 15385 of 2017 is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)