

**19.11.2025**  
**Sl. No. 25**  
**g.b.**  
**Court No.24**

**W.P.A. 13413 of 2019**

*Ajit Kumar Nayak*  
**-Vs-**  
*State of West Bengal & Ors.*

*Mr. Saibal Acharyya*  
*Mr. Pradip Paul*  
*.....For the Petitioner*

Mr. Acharyya, learned advocate appearing for the petitioner submits at the very outset that the writ petitioner has expired in 2022.

The writ petition had been filed seeking retiral and pensionary benefits, which had not been paid to him at the material time.

He further submits that the widow of the petitioner is presently drawing the family pension. However, the petitioner would have been entitled to the retiral benefits and the balance of the pensionary benefits, had he been alive, which his legal heirs are entitled to pursue.

That being a completely separate cause of action, the legal heirs are at liberty to proceed for redressal of such grievance in a separate action.

In view of the submissions made by Mr. Acharyya, the petition is dismissed as infructuous. The dismissal of this writ petition will not debar the heirs of the petitioner, including the widow to pursue her remedies, as aforestated, if advised.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties urgently after completion of all necessary formalities.

***(Reetobroto Kumar Mitra, J.)***