

04.11.2025
Sl. No.21
Ct. No.7
ss

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

W.P.A. No. 16367 of 2025

**Gopali Basu Chowdhury
Versus
The State of West Bengal & Ors.**

Mr. Dilip Kumar Sadhu

...for the Petitioner.

Ms. Chandrani Mukherjee

...for the State.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. By the present writ petition the petitioner being the widowed daughter of the deceased Assistant Teacher seeks direction upon the respondent authorities to disburse the family pension in her favour.
3. The petitioner contends that the father of the petitioner Santosh Kumar Roy retired as an Assistant Teacher from the Krishna Nagar No.2 Primary School on 31st May, 1997 and he died on 16th January, 1999. At the time of death the father of the petitioner was receiving monthly pension. The mother of the petitioner died on 22nd November, 1998 prior to the death of the father of the petitioner. The husband of the petitioner died on 14th June, 2020. The petitioner made a representation on 25th September, 2024 before the respondent no.4, the District Inspector of Schools (PE), Purba Medinipur for grant of family pension in her favour. However, till

date no such steps have been taken towards grant of family pension in favour of the petitioner. Hence, this writ petition.

4. Mr. Dilip Kumar Sadhu, learned Advocate for the petitioner submits that the representation of the petitioner dated 25th September, 2024 may be relegated to the respondent no.4, the District Inspector of Schools (PE), Purba Medinipur for consideration and disposal of the same.
5. Ms. Chandrani Mukherjee, learned Advocate for the State submits that the matter may be sent to the concerned authority for due consideration.
6. The right of the widowed daughter of a deceased teacher to get the benefit of family pension has been recognised by the Special Bench of this Hon'ble Court in the case of *The State of West Bengal and others –versus- Sabita Roy (MAT 1518 of 2019)* along with other appeals. The aforesaid decision of the Special Bench has been affirmed by the Hon'ble Supreme Court in Special Leave Petition (Civil) Diary No.30809 of 2024.
7. Accordingly, the respondent no.4, the District Inspector of Schools (PE), Purba Medinipur is directed to consider and dispose of the representation of the petitioner dated 25th September, 2024, in accordance with law, as expeditiously as possible preferably within a period of three months from the date of communication of this order. In the event it is found that the petitioner is entitled to benefit of family pension, the said respondent

authorities shall take appropriate steps for issuance of Pension Payment Order in favour of the petitioner.

8. Petitioner is directed to communicate this order to the respondent no.4, the District Inspector of Schools (PE), Purba Medinipur for necessary action.
9. With the above direction, the writ petition being **WPA 16367 of 2025** stands disposed of.
10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
11. Interim order, if any, stands vacated.
12. All connected applications, if any, stand disposed of.
13. There shall be no order as to costs.
14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
15. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)