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12.08.2025
Court No.17
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 16657 of 2025

Pushpa Chakraborty

Vs.

The State of West Bengal & Ors.

*Ms. Sayani Roy Chowdhury,
Ms. Biswadeepa Mandal*

...for the Petitioner.

*Mr. Swapan Kumar Dutta, Sr. Adv. & AGP,
Mr. Bikash Goswami*

...for the State.

*Mr. Nilotpal Chatterjee,
Mr. Satyaki Banerjee*

...for the Calcutta University.

Affidavit-of-service filed on behalf of the petitioner be kept with the record.

The husband of the petitioner was an employee of the University of Calcutta.

On attaining the age of superannuation, he had retired from his said service on November 30, 2008 as senior Superintendent of the Department of Controller of Examination of the said University and has died on December 19, 2023.

The petitioner, being the widow of the said employee, is praying for family pension.

Mr. Chatterjee, learned advocate for the University submits that in the application form for pension, the deceased employee did not disclose his marital status, rather, he filled up the relevant space in the said application with the endorsement 'N.A', besides the said deceased employee, in his nominee application, had nominated his mother as recipient of 100% share of his pension and other retiral benefits, however, the mother of the said deceased employee has expired.

The petitioner has annexed a photocopy of the certified copy of the Marriage Register wherefrom it appears that her marriage with the deceased employee was solemnized on February 06, 2000 according to Hindu Rights and Customs. The photocopy of the Death Certificate of the concerned employee, annexed with the writ petition, also discloses the status of the petitioner as the wife of the deceased.

There is nothing on record to suggest that those documents are not genuine. The mother of the deceased

employee, the nominee of the deceased employee has also died, therefore, there cannot be any impediment in allowing the prayer of the petitioner for family pension.

In view of the aforesaid, the Registrar, University of Calcutta, the respondent no. 5 herein is directed to process the pension papers so that family pension can be disbursed in favour of the petitioner as expeditiously as possible, preferably within a period of six weeks from the date of communication of this order.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

W.P.A. 16657 of 2025 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Biswajit Basu, J.)