

2ND Dec., 2025
Item no.M/L 22
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 17871 of 2025**

In the matter of :
Piyali Ghosh *.... Petitioner*
VS.
The State of West Bengal & Ors. *....Respondents*

For the Petitioner:
Mr. Prosenjit Mukherjee
Mr. Saptarshi Chakraborty
Mr. Manisha Mondal
Mr. Raja Roy
Mr. Prosenjit Chongder *....Advocates*

For the State:
Mr. Sayan Ganguly *....Advocate*

For the Respondent no. 8:
Mr. Subhajyoti Das *....Advocate*

1. The prayer of the petitioner for grant of family pension in respect of unmarried daughter of a teacher of a government aided secondary school was rejected by the District Inspector of Schools relying on the memo being no. 95(80)-SE (B) dated 13th April, 2010 and Government Order No. 432-F(Pen) dated 2nd July, 2008.
2. It has been brought to the notice of the Court that the income ceiling of the family pension has been raised by the government by memorandum being no. 1613-SE/S/1M-05/2023 dated 9th November, 2023.
3. The petitioner has an elder unmarried sister who is eligible for receiving the family pension. The said unmarried elder sister has

disclosed her intention not to accept family pension. She has also disclosed that she does not have any objection if the family pension is awarded in favour of her younger sister who is otherwise eligible to receive the same.

4. Learned advocate representing the State respondents relies on the instruction forwarded by the District Inspector of Schools, Secondary Education, Hooghly dated 4th September, 2025 wherein it has been disclosed that the family income ceiling limit has been raised and the petitioner would be entitled to receive family pension.
5. The District Inspector of Schools, Secondary Education, Hooghly requested the petitioner to submit all her documents including the legal heir certificate and the income certificate from the competent authority so that her prayer for issuance of family pension may be processed.
6. As the DI has already come to the conclusion that the petitioner would be entitled to receive family pension and requested the petitioner to submit all her documents for processing her prayer for grant of family pension, accordingly, the instant writ petition is disposed of by observing that it will be open for the petitioner to submit all her documents to the District Inspector of Schools, Secondary Education, Hooghly so that the same may be forwarded to the DPPG for issuance of Pension Payment Order for disbursing family pension in her favour.
7. The District Inspector of Schools, Secondary Education, Hooghly is directed to make a formal communication to the petitioner at the earliest but positively within a period of four weeks from date disclosing the documents that she is required to submit.

8. The impugned order dated 17th February, 2023 and the subsequent order dated 8th November, 2023 are set aside.
9. The writ petition stands disposed of.
10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)