

04.11.2025
Sl. No.31
Ct. No.7
gd

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

WPA/18244/2025
ANIMA ROY
VS
STATE OF WEST BENGAL AND ORS.

Ms. Ananya Adhikary

...for the Petitioner.

Ms. Sumitra Das

...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 Ex. Assistant Teacher seeks direction upon the respondent authorities to disburse the family pension in her favour.
3. The petitioner contends that she is the widowed daughter of late Bankim Chandra Bhowmick, Ex. Assistant Teacher in Purba Dakhin Moyna Primary School, P.O.-Moyna, District-Purba Medinipur. The deceased father of the petitioner superannuated on 31st January, 2001 and died on 13th June, 2011. The petitioner's father was granted monthly pension. Upon the death of her father the petitioner made representation 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. Ms. Ananya Adhikary, learned Advocate for the petitioner submits that the representation of the petitioner dated 15th July, 2025 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. Sumitra Das, 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 15th July, 2025, 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 18244 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.)