

04.11.2025
Sl. No.32(DL)
Ct. No.7
srm

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

W.P.A. No. 18329 of 2025

Mina Manna

Versus

The State of West Bengal & Ors.

Mr. Dilip Kumar Sadhu

...for the Petitioner.

Mr. Dipankar Ghosh

...for the State.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Despite service, none appears on behalf of the State.
3. Mr. Dipankar Ghosh, learned Advocate, who usually appears on behalf of the State-respondents is requested to appear in this matter. The appearance of Mr. Ghosh be regularised by the concerned authority.
4. Let a copy of the writ petition along with its annexure be served upon Mr. Ghosh, learned Advocate for the State respondents.
5. 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.
6. The petitioner is the widowed daughter of late Haripada Manik, ex-Assistant Teacher of Rajsahar

Primary School, Purba Medinipur. The father of the petitioner superannuated on 31st July, 1994 and died on 31st October, 1999. The petitioner's father was receiving monthly pension during his lifetime. After demise of her father, the mother of the petitioner was receiving family pension. The mother of the petitioner died on 11th July, 2013. The husband of the petitioner died on 17th October, 2023. The petitioner thereafter made a representation on 2nd July, 2025 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.

7. Mr. Dilip Kumar Sadhu, learned Advocate for the petitioner submits that the representation of the petitioner dated 2nd 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.
8. Mr. Dipankar Ghosh, learned Advocate for the State submits that the matter may be sent to the concerned authority for due consideration.
9. 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.

10. 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 2nd 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.
11. Petitioner is directed to communicate this order to the respondent No.4, the District Inspector of Schools (PE), Purba Medinipur for necessary action.
12. With the above direction, the writ petition being **WPA 18329 of 2025** stands disposed of.
13. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
14. Interim order, if any, stands vacated.
15. All connected applications, if any, stand disposed of.
16. There shall be no order as to costs.

17. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
18. 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.)