

08
02.12.2025
Court No.18
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 20133 of 2023

Kalpana Rakshit
-versus
The State of West Bengal & Ors.

Mr. Tarapada Das.
Mr. Mahadeb Khan.
...For the petitioner.

Mr. Arindam Chattopadhyay.
Ms. Lipika Chatterjee.
... For the State

1. The petitioner is the unmarried daughter of a deceased school teacher who died-in-harness prior to the promulgation of the DCRB Scheme, 1981. She seeks family pension.

2. The petitioner relies upon the judgment delivered by the Hon'ble Special Bench of this Court on 20th June, 2023 in the matter of **The State of West Bengal & Ors. -Vs- Sabita Roy in MAT 1518 of 2019** with **IA No. CAN 2 of 2019** wherein the Court specifically held that the benefit of family pension can be extended to unmarried daughter of an employee who died prior to coming into force of the DCRB Scheme, 1981.

3. Learned advocate representing the State respondents relies upon the instruction forwarded by the District Inspector of Schools (S.E), Bankura wherefrom it appears that the Headmaster of the

School was asked for submission of all necessary documents for family pension in favour of the petitioner vide Office Memo No. 43/S dated 6th January, 2023. Despite reminder granted to the school, the documents as sought for were not forwarded.

4. According to the District Inspector of Schools as soon as the papers are submitted by the School Authority, pension paper of the petitioner will be forwarded to the Joint Director of Accounts, Bankura for vetting.

5. Photocopy of the communications made by the District Inspector of Schools to the Headmaster of the concerned school has been annexed with the instruction forwarded by the District Inspector of Schools.

6. As the right of the petitioner to receive family pension has already been upheld by the Court, accordingly, the authority ought to take prompt necessary steps for finalizing and thereafter disbursing family pension in favour of the petitioner.

7. As it appears that the School is not responding to the various communications made by the District Inspector of Schools, accordingly, the District Inspector of Schools is directed to make necessary arrangement for collection of the required papers from the school authority.

8. If the papers of the father of the petitioner who expired way back on 19th September, 1968 is not readily available, then the papers relating to the family pension received by the mother of the petitioner Gokul Rakshit who expired on 20th May, 2020 may be looked into for the purpose of preparation of the family pension file of the petitioner.

9. In any event, the documents meant for finalizing the family pension file of the petitioner shall be made ready at the earliest, but positively within a period of eight week from the date of communication of this order.

10. The District Inspector of Schools shall ensure that all papers are forwarded to the DPPG for issuance of the PPO in favour of the petitioner.

11. All the authorities shall ensure that family pension is released in favour of the petitioner positively by 31st March, 2026.

12. The writ petition stands disposed of.

13. Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)