

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. 20123 OF 2025

NILANJAN GHOSH (MENTALLY DISABLED)
VS.
THE STATE OF WEST BENGAL & OTHERS

Mr. Sabita Khutia (Bhunya), Adv.
Mr. Krishna Pada Santra, Adv.
Ms. Arpita Saha, Adv.

...for the Petitioner

Mr. Shibasish Banerjee, Adv.

...for the State

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner being a disabled son of a retired Assistant Teacher, has come up with the present writ petition for sanction of family pension in terms of notification no.10-SE(B)/O//1M-131/2008 (Part-I) dated 13th January, 2009 issued by the O.S.D. & Ex-Officio Joint Secretary, Government of West Bengal, School Education Department. It is also submitted that petitioner's father retired on superannuation on 31st December, 2003 and was in receipt of pension and died on 1st March, 2015. After death of father mother of the petitioner was in receipt of family pension, who died on 18th February, 2024. Now, petitioner claims family pension being disabled son.

3. Requisite documents which are relied upon by the petitioner are not issued by the competent authorities.
4. Leave is granted to the petitioner to submit requisite documents issued by the competent authorities before the District Inspector of Schools (S.E.), Paschim Medinipur being respondent no.4 and lay claim for sanction of family pension in his favour.
5. If application is made by the petitioner along with requisite documents issued by the competent authorities seeking sanction of family pension before the respondent no.4, Court expects same shall be considered by the said respondent no.4 within a reasonable time, in accordance with law.
6. With the above directions writ petition stands disposed of.
7. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)