

07.11.2025
Item No. 26
Ct. No. 07
AN

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

WPA 20486 of 2025

**Buddhadeb Dhara
vs.
State of West Bengal & ors.**

Mr. Subhrangshu Panda
Ms. Haritri Roy
Mr. Ratul Ghoshal
Mr. Anupam Singha

... for the petitioner

Mr. Saikat Sen

... 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 seeks for consideration of his representation dated 30th June, 2025 for grant of family pension in his favour.
3. The petitioner contends that his father viz. Rajendra Nath Dhara (since deceased) was an approved primary teacher in Brahmanipur Primary School, Dist. Paschim Medinipur. The father of the petitioner retired on 30th June, 1975 and died on 28th May, 1985. The mother of the petitioner died on 25th April, 2019. The petitioner is 80% physically disabled person and cannot move and travel without any assistance of escort. The petitioner, his brothers and three sisters are the legal heirs of their deceased father. The

petitioner made representation dated 30th June, 2025. Since the same has not been granted, the petitioner is constrained to file the present petition.

4. Mr. Subhrangshu Panda, learned advocate appearing for the petitioner relying on the Government Order No. 378-SE(B)/IM-43/2003 dated 28th July, 2008 and the Government Order No. 10-SE(B)/O/1M-131/2008(Part I) dated 13th January, 2009, submits that the handicapped son of the petitioner is entitled to receive the family pension. To buttress his contention, he relies on a decision of the Coordinate Bench of this Court passed in ***Sri Manas Kumar Mukherjee vs. The State of West Bengal & ors.*** in ***WPA 5398 of 2024*** on 13th March, 2024.
5. Mr. Saikat Sen, learned advocate representing the State leaves the matter to the discretion of the Court.
6. In view of the submissions advanced on behalf of the petitioner, respondent no. 4, The District Inspector of Schools (P.E.), Paschim Medinipur is directed to consider the representation of the petitioner dated 30th June, 2025 for grant of family pension within a period of six weeks from the date of communication of this order in accordance with law upon notice to the petitioner in the light of the Government Order No. 378-SE(B)/IM-43/2003 dated 28th July, 2008 and the Government Order No. 10-SE(B)/O/1M-131/2008(Part I) dated 13th January, 2009. In the

event the petitioner is found to be entitled to family pension, the respondent authorities concerned shall take appropriate steps for issuance of Pension Payment Order and also disburse arrears of pension in his favour, upon verification of all the records.

7. Learned advocate appearing for the petitioner is directed to communicate this order to respondent no. 4, The District Inspector of Schools (P.E.), Paschim Medinipur for necessary compliance.
8. With the above observations, **WPA 20486 of 2025** stands disposed of.
9. Since no affidavits have been called for, the allegations made in the writ petition are deemed to be not admitted.
10. Consequently, connected applications, if any, also stand disposed of.
11. Interim orders, if any, stand vacated.
12. There will be no order as to costs.
13. Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Bivas Pattanayak, J.)