

07.11.2025
Item No. 25
Ct. No. 07
AN

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

**WPA 20485 of 2025
Rukia Bibi
vs.
State of West Bengal & ors.**

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

... for the petitioner

Mr. Bikramjit Mandal

... 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 her representation dated 28th October, 2024 for grant of family pension in her favour.
3. The petitioner contends that her father viz. late Maimur Ali Khan joined as a primary teacher in Arang Kiarana Primary School on 30th March, 1951 and retired from service on 30th September, 1995 as the Head Teacher of Purba Dobandi Patna No. – II Primary School, P.O. Purba Dakshin Moyna, P.S. Moyna. The father of the petitioner died on 9th May, 1996 leaving five sons and five daughters. The petitioner is the widowed

daughter of the employee. The mother of the petitioner expired on 21st July, 1998. Late Sk. Murtaza, the husband of the petitioner died on 10th July, 2010. As per the Death-cum-Retirement Benefit Scheme, 1981 as well as the Government Order No. 39-SE(B)/IM-19/07 dated 10th January, 2008, the petitioner being the widowed daughter is entitled to family pension. 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 submits that as per the Government Order No. 39-SE(B)/IM-19/07 dated 10th January, 2008 as well as several decisions of this Court, it is no more res integra that the widowed daughter is legally entitled to family pension. Out of the ten legal heirs, only the petitioner is the widowed daughter. He seeks for appropriate direction upon respondent no. 6, The District Inspector of Schools (P.E.), Purba Medinipur to consider the representation of the petitioner dated 28th October, 2024 for grant of family pension in favour of the petitioner.
5. Mr. Bikramjit Mandal, 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. 6, The District Inspector of Schools (P.E.), Purba Medinipur is directed to consider the representation of the petitioner dated 28th October, 2024 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. 39-SE(B)/IM-19/07 dated 10th January, 2008. 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 her favour, upon verification of all the records.
7. Learned advocate appearing for the petitioner is directed to communicate this order to respondent no. 6, The District Inspector of Schools (P.E.), Purba Medinipur for necessary compliance.
8. With the above directions, the writ petition being **WPA 20485 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.)