

WPA 24082 of 2024

**Gita Kumar
Vs.
The State of West Bengal & Ors.**

Mr. Tamal Taru Panda

... ... for the petitioner

Mr. R. N. Bag

Mr. Syed Nazmul Hossain

Mr. S. K. Wasim Akram

Mr. P. Choudhury

... ... for the State

Affidavit of service filed in Court today is kept with the record.

The father of the petitioner was an Assistant Teacher of a Primary School under South 24 Parganas District Primary School Council. Father of the petitioner had died on 11.11.2007. The mother of the petitioner was died on 17.08.2020.

The petitioner being the widowed daughter of the said deceased teacher is praying for family pension.

The representation of the petitioner dated 04.09.2024 praying for such pension is pending consideration before the District Inspector of Schools, Primary Education, South 24 Parganas, the respondent no.4 herein. The said representation forms part of the writ petition being annexure 'P-5'.

The right of the widowed daughter of a deceased teacher to get the benefit of family pension has been recognized by the Special Bench of this Court in the case of State of West Bengal & Ors. Vs. Sabita Roy (MAT 1518

of 2019). The said decision has been affirmed by the Hon'ble Supreme Court in Special Leave Petition (Civil) Diary No(s) 30809 of 2024.

The respondent no.4 is directed to consider and dispose of the said representation expeditiously, in accordance with law and in the event it is found that the petitioner is entitled to such pension, the said respondent shall take forward steps for issuance of pension payment order.

The writ petition is disposed of, however, no order as to costs.

Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Rajarshi Bharadwaj, J.)