

02-07-2025
Item No.7
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.29297 of 2024

Momotaj Begam

-vs-

The State of West Bengal & Ors.

with

CAN No.1 of 2025

Mr. Mujibar Ali Naskar
Mr. Imtiaz Ahmed
Mr. Srijit Halder ...for the petitioner

Mr. Jayanta Samanta, jr. govt. adv.
Mr. Kazi Sajjad Alam ...for the State

Mr. S.K. Mukhopadhyay
Ms. Nargish Parveen ...for the respondent no.8

Mr. Aniruddha Datta ...for the respondent no.9

1. I have heard the respective submissions made on behalf of all the parties.
2. It transpires that there is an issue with regard to the factum of marriage. According to the petitioner, though an engagement took place between the son of the petitioner and the ninth respondent, the marriage never took place.
3. Learned counsel for the ninth respondent submits that the marriage did take place.
4. Whether the terminal benefit of the deceased son of the petitioner can be passed on to the petitioner or not depends upon such issue of marriage of the deceased employee.
5. As the marriage is disputed, the Court is not in a position to provide any relief to the petitioner at

this stage.

6. Hence, the writ petition fails and is hereby dismissed. The interim order passed earlier is vacated.
7. Consequently, the connected application – CAN No.1 of 2025 – shall be deemed to be dismissed.
8. Dismissal of the writ petition will, however, not preclude the petitioner from approaching the competent forum for redressal of her grievance in accordance with law, if so advised.
9. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
10. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

