

03.01.2025
Item No.10,DL
Court No.19
AJ.

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

W.P.A. 30311 of 2024

Chandra Lekha Barik

-Vs-

The State of West Bengal & Ors.

Mr. Sourav Mitra,
Ms. Sreyasree Choudhury.
.....for the petitioner.

Ms. Rama Haldar,
....for the State.

Affidavit of service filed on behalf of the petitioner be kept with the record.

The father of the petitioner was an Assistant Teacher of Gopichak Primary School, Purba Medinipur, who died-in-harness on May 31, 1980. On the death of the father, the mother of the petitioner started receiving family pension and she also died on March 21, 2003.

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

A representation of the petitioner dated September 03, 2024 to the said effect is pending before the District Inspector of Schools (Primary Education), Purba Medinipur, the respondent no. 4 herein, the said representation forms part of the writ petition being Annexure 'P-3'.

The right of a widowed daughter of a deceased teacher to get the 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 Special Bench judgment has also been affirmed by the Hon'ble Supreme Court.

The respondent no. 4, therefore, is directed to consider and dispose of the said representation of the petitioner as expeditiously as possible in accordance with law.

In the event the petitioner is otherwise found eligible for such family pension, the said respondent shall take forward steps for disbursement of the said amount in her favour.

W.P.A. 30311 of 2024 is disposed of with the above terms without any order as to costs.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

Parties to act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)