

ML181
September 2025
02.09.2025
Court No.18
SK

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 29029 of 2023

Chaitali Hazra

Vs.

The State of West Bengal & Ors.

Mr. Sabyasachi Hazra

...for the Petitioner.

*Mr. Suman Dey,
Ms. Tanuja Basak*

...for the State.

1. A report is filed by the Commissioner of School Education, West Bengal dated 22nd July, 2025 and same is taken on record.

2. On perusal of the report, it appears vide memo dated 21st July, 2025, the Commissioner has requested the Secretary, School Education Department, Government of West Bengal for dispensation of requirement to submit service book in terms of G.O. No. – 96-SE(B) dated 13th April, 2010 for settling the family pension case of the petitioner, who is unmarried daughter of a deceased teacher. It further appears that in spite of forwarding the issue to the Secretary, School Education Department, Government of West Bengal on 21st July 2025 subsequently no clarification has been forwarded to the Commissioner of School Education, West Bengal permitting the authorities to settle the family pension case of the petitioner by dispensing with requirement of submitting service book.

3. As Commissioner of School Education has said in memo dated 21st July 2025 that in terms of G.O. No. – 96-SE(B) dated 13th April 2010 dispensation of submitting service book is permissible and till date no response comes from the Secretary, School Education Department, Commissioner of School

Education and District Inspector of Schools (SE), Bankura being respondent nos. 8 and 5 respectively, are directed to settle the family pension case of the petitioner by eight weeks from the date of communication of this order. The petitioner shall be at liberty to submit requisite documents for settling her family pension case before the respondent no. 5 by four weeks from date, if those are not submitted till date in order to release family pension since the petitioner is unmarried daughter of a deceased teacher, who retired on 31st December, 1994 and died on 24th October, 2011; mother of the petitioner pre-deceased father.

4. The writ petition stands disposed of.

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

(Saugata Bhattacharyya, J.)