

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8575 of 2026

Kamalesh Chakraborty
-versus
The State of West Bengal & Ors.

Mr. Bikash Shaw
Mr. Sk. Saad Islam
... For the petitioner

Mr. Nilanjan Adhikari
Mr. Sourav Mondal
... For the respondent nos.3 & 4

1. Learned advocate representing the respondent nos.3 and 4, i.e. A.G. Bengal submits, upon instruction that, the case of the physically handicapped unmarried daughter of the deceased employee was considered only on the ground of her marital status. The physical disability of the unmarried daughter was not forwarded by the Executive Engineer, Public Works Department, Hooghly Division, the employer of the deceased. If necessary rectification is made by the employer and the same is forwarded to A.G. Bengal, the prayer of the physically handicapped unmarried daughter of the deceased employee for grant of family pension will be taken up for consideration in accordance with law.

2. None appears on behalf of the State respondents.

3. As it appears that the physically handicapped unmarried daughter of the deceased employee is in acute financial crisis, accordingly, it is directed that it will be open for the petitioner to file a representation before the Executive Engineer, Public Works Department, Hooghly Division, annexing all documents in support of the physical disability of the unmarried daughter of the deceased employee.

4. On receipt of all documents of physical disablement, the Executive Engineer, Public Works Department, Hooghly Division, shall take necessary steps to update and rectify its records and forward the papers to the competent authority for sanction of family pension in favour of the physically handicapped unmarried daughter of the deceased employee.

5. Steps shall be taken by the Executive Engineer, Public Works Department, Hooghly Division, at the earliest but positively within a period of three weeks from the date of receipt of all documents from the petitioner.

6. The family pension shall be sanctioned in favour of the physically handicapped unmarried daughter of the deceased employee within a period of eight weeks from the date of receipt of all documents from the employer.

7. The writ petition stands disposed of.

8. It is recorded that the writ petition is taken up for consideration as the West Bengal State Administrative Tribunal is non-functional at present.

9. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

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

(Amrita Sinha, J.)