

S/L 24
05.02.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 11059 of 2025

Dipali Paul @ Dipali Pal

Vs.

The State of West Bengal & Ors.

Ms. Sabita Khutia (Bhunya)

Mr. Krishna Pada Santra

...for the Petitioner.

Mr. Jahar Lal De, Ld. AGP

Mr. Kaustav Bhattacharya

...for the State.

1. Supplementary affidavit and affidavit of service filed by the petitioner and the instruction filed by the State respondents in Court today are retained with the records.

2. The petitioner claims to be the unmarried daughter of an Assistant Teacher who stood superannuated on January 31, 1980 and died on April 6, 1987. Family pension was released in favour of the petitioner's mother who died in the year 2003. Claiming to be the unmarried daughter of the deceased teacher, the petitioner seeks family pension.

3. The issue of entitlement of family pension to unmarried daughters of teachers who died or stood superannuated prior to April 1, 1981 has been conclusively decided by the Special Bench of this Court in the matter of **State of West Bengal and Ors. vs. Sabita Roy** on **20.06.2023 in MAT 1518 of 2019, IA CAN 2 of 2019 (Old No. CAN 10437 of 2019)**

wherein the Court held that the benefit of family pension can be extended to the unmarried daughter.

4. The petitioner prays for grant of similar relief in her favour.

5. The prayer of the petitioner stood rejected by the Director, Pension Provident Fund and Group Insurance vide order communicated in December 2017.

6. The District Inspector of Schools (Secondary Education), Nadia has forwarded a report signed on May 21, 2025 wherefrom it appears that the authority took note of the direction passed in the matter of Sabita Roy (supra). The District Inspector of Schools noted that the pension file of the petitioner has not yet been submitted by the school authority.

7. The report of the District Inspector of Schools also mentions about the direction passed by the School Education Department to the Commissioner of School Education vide Memo No.253-SE (Law)/PL/5S-29/2017 dated April 22, 2025 directing the authorities to take appropriate steps to comply the direction passed by the Special Bench.

8. Though the school has been impleaded as party respondent in the instant writ petition but the school remains unrepresented.

9. In view of the above, the instant writ petition stands disposed of by directing the District Inspector

of Schools (Secondary Education), Nadia to apprise the school regarding the steps required to be taken for preparation of the family pension file of the petitioner.

10. The District Inspector of Schools shall ensure that the family pension file is made ready and forwarded to the DPPG for issuance of the Pension Payment Order in favour of the petitioner.

11. The respondent authorities shall ensure that the family pension, in accordance with the direction passed in the matter of Sabita Roy (*supra*), is disbursed in favour of the petitioner positively by May 29, 2026.

12. The writ petition stands disposed of.

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

(Amrita Sinha, J.)