06.10.2026
Sl. No.59
Ct. No.14
gd

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA/13301/2026
Sri Asit Kumar Paira
VS
The State of West Bengal and Ors.

Mr. Samir Kumar Adhikari
...for the Petitioner.

Mr. Brijendra Pratap Singh
Mr. Asit Kumar De
...for the State.

1. Instruction filed by the State furnished by Senior Law Officer, DPPG, Government of West Bengal dated 6th October, 2026 is taken on record.

2. By the present writ petition the petitioner seeks direction upon the respondent authorities particularly respondent nos.3, 4 and 6 to grant family pension in favour of the petitioner being an unemployed physically handicapped son of the deceased pensioner.

3. The petitioner contends that his father, late Sanatan Paira was an Assistant Teacher of Hatipata Khariparia Primary School under Gopiballavpur Tapsia Circle, District-Medinipur (presently District-Jhargram) who retired from service on superannuation on 30th June, 1984 due to medical invalidation. The Pension Payment Order was issued on 14th May, 1990. The father of the petitioner died on 24th September, 2006. The mother of the petitioner

predeceased his father and expired on 5th January, 2006. Subsequent thereto, in the year 2011 the petitioner, being the disabled son of the deceased employee, submitted an application for grant of family pension in his favour. Although on 9th June, 2011 the pension sanctioning authority, namely, District Inspector of Schools (Primary Education), Paschim Medinipur forwarded the papers of the petitioner to the Director of Pension, Provident Fund & Group Insurance, Government of West Bengal for sanctioning of life time family pension in favour of him. However, no steps were taken since then. After long lapse of period, on 6th March, 2026 the petitioner made a representation before the concerned District Inspector of Schools (P.E.) and other authorities. By its letter dated 18th March, 2026, District Inspector of Schools (P.E.), Jhargram informed the petitioner to make communication with District Inspector of Schools (P.E.), Paschim Medinipur. However, till date no family pension is granted in favour of the petitioner. Hence, this writ petition.

4. Mr. Samir Kumar Adhikari, learned advocate for the petitioner submits that on 9th June, 2011 all the papers have been forwarded to the Director of Pension, Provident Fund & Group Insurance, Government of West Bengal for sanctioning of family pension in favour of the petitioner. He seeks that appropriate direction be issued upon the authority concerned for grant of family pension in favour of the

petitioner, since then no steps have been taken. Reliance is placed on the decision of this court passed in ***Utpal Sen versus The State of West Bengal & Ors. (Re: WPA 16665 of 2025)***.

5. Mr. Brijendra Pratap Singh, learned advocate representing the State submits that the pension case was objected to by Directorate of Pension, Provident Fund & Group Insurance, Government of West Bengal on 25th February, 2013 and thereafter no reconstructed pension case has been reforwarded by the pension sanctioning authority. However, in the event the reconstructed records are forwarded by the concerned District Inspector of Schools (P.E.), the DPPG upon due examination can take steps for issuance of the pension payment order in favour of the petitioner.

6. Undeniably, the pension case of the petitioner was forwarded by the District Inspector of Schools (P.E.), Paschim Medinipur on 9th June, 2011 as is appearing from Annexure 'P-5' at page 28 of the writ petition. Be that as it may, since then the prayer of the petitioner seeking for grant of family pension is pending before the authorities concerned.

7. As per the report furnished by senior law officer, DPPG dated 6th October, 2026 an objection was raised by the Directorate on 25th February, 2013. It is further revealed that since no reconstructed pension case was reforwarded by the pension sanctioning authority, the Directorate is unable to proceed for

grant of family pension by issuance of pension payment order.

8. As per Memo No.325-SE(B)/1M-43/2003 dated 5th September, 2005 the family pension was extended in favour of son or daughter suffering from any disorder or disability of mind or is physically crippled or disabled.

9. In the above conspectus, respondent no.4, District Inspector of Schools (P.E.), Paschim Medinipur is directed to forward the reconstructed pension case of the petitioner to the Director of Pension, Provident Fund & Group Insurance, Government of West Bengal within a period of four weeks from the date of communication of this order.

10. Upon receipt of reconstructed pension case of the petitioner, respondent no.3, the Director of Pension, Provident Fund & Group Insurance, Government of West Bengal shall take steps for issuance of pension payment order in favour of the petitioner within a period of four weeks from the date of receipt of reconstructed pension case from District Inspector of Schools (P.E.), Paschim Medinipur.

11. Learned advocate for the petitioner is directed to communicate this order to the respondent no.4, District Inspector of Schools (P.E.), Paschim Medinipur for necessary action.

12. With the above direction, the writ petition being **WPA 13301 of 2026** stands disposed of.

13. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
14. Interim order, if any, stands vacated.
15. All connected applications, if any, stand disposed of.
16. There shall be no order as to costs.
17. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
18. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)