

S/L 26
05.02.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 18615 of 2025

Arundhati Hazra

Vs.

The State of West Bengal & Ors.

Mr. Washef Ali Mondal

...for the Petitioner.

Mr. Shaharayar Alam

...for the State.

1. The petitioner is the widow daughter of a teacher who retired prior to April 1, 1981. She prays for grant of family pension.

2. The family pension file of the petitioner was made ready and forwarded by the school to the District Inspector of Schools (Secondary Education), Barasat, North 24 Parganas but the same has not been acted upon till date.

3. The petitioner prays for a direction upon the respondent authority to issue family pension order in her favour.

4. Learned advocate representing the State respondents submits that as there is no Government order in favour of grant of family pension to the widowed daughter of teacher who retired prior to April 1, 1981, the authority is not in a position to proceed with the family pension file of the petitioner.

5. The aforesaid contention of the District Inspector of Schools cannot be accepted by the Court.

6. The Larger 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)** clearly laid down that the benefit of family pension can be extended to widow daughter of an employee who superannuated or died prior to coming into force of the Death cum Retirement Benefit Scheme, 1981 which came into effect on and from 01.04.1981.

7. As the law relating to entitlement of family pension by widow daughter of a teacher who died or superannuated prior to 1st April, 1981 has been declared by the Court, accordingly, the District Inspector of Schools ought to act in terms of the order passed by the Larger Bench of the Court without waiting for publication of any formal government order.

8. In view of the above, the District Inspector of Schools (Secondary Education), Barasat is directed to take prompt necessary steps to proceed with the family pension file of the petitioner and forward the same to the DPPG for issuance of family pension PPO in her favour.

9. The District Inspector of Schools shall ensure that the financial benefit of family pension is disbursed in favour of the petitioner positively by May 29, 2026.

10. The writ petition stands disposed of.

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

12. Certified copy of this order, if applied for, shall be made available to the parties.

(Amrita Sinha, J.)