

27-04-2026
Item No.21
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction

Appellate Side

WPA No.23764 of 2025

Souradeep Chatterjee

-vs-

Union of India & Ors.

Mr. Amit Kumar Pan
Ms. Tanusri Santra ...for the petitioner

Mr. Rajen Dutta
Mr. B.K. Singh ...for the Union of India

1. The petitioner claims to be the disabled elder son of a deceased employee of the Syama Prasad Mookerjee Port, formerly known as the Kolkata Port Trust. He is being represented by his younger brother.
2. Allegation of the petitioner is that the representation made on behalf of the petitioner by his brother seeking disability pension is pending consideration at the end of the authority for a considerable period of time.
3. Prayer has been made to direct the authority to consider the prayer of the petitioner for grant of disability pension.
4. None represents the port authority. Affidavit of service is on record.
5. Regulation 37(5) of the Kolkata Port Trust Employees' (Pension) Regulations, 1988 has been relied upon by the petitioner in support of the submission that the authority ought to pay disability pension to the son of the deceased

employee.

6. In the absence of the port authority, it is not possible for the Court to decide the issue conclusively.
7. As it appears that the representation made on behalf of the petitioner seeking disability pension is pending consideration at the end of the port authority, accordingly, the instant writ petition is disposed of by directing the competent authority of the port, the second respondent herein, to take a decision on the prayer of the petitioner strictly in accordance with the prevailing Regulations at the earliest but positively within a period of eight weeks from the date of communication of this order.
8. The authority may provide reasonable opportunity of hearing to the authorized representative of the disabled son of the deceased employee for production of medical documents in support of disablement.
9. A reasoned order shall be passed and communicated to the petitioner.
10. If the prayer of the petitioner is allowed, then necessary consequential steps shall be taken by the authority.
11. All parties are to act on 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]

