

S/L 36
27.04.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 25692 of 2025

Shyamali Mukherjee

Vs.

The State of West Bengal & Ors.

Ms. Debjani Chakraborty

...for the Petitioner.

Mr. Tulshidas Ray

...for the State.

1. Affidavit of service filed in Court today be kept with the records.
2. The petitioner claims to be the widow of one Krishna Gopal Mukherjee who was an employee in the department of Food and Supplies, Government of West Bengal. The employee retired from service in the year 2001 and expired in January 2023. The petitioner claims family pension.
3. The prayer of the petitioner was considered by the authority and a reasoned order has been passed on June 17, 2025 rejecting her claim for family pension. The same is impugned in the instant writ petition.
4. Learned advocate representing the petitioner submits that the petitioner has obtained certificate from the gram panchayat disclosing that the employee was her husband. The petitioner has annexed a photocopy of the ration card issued in her favour disclosing the name of her husband.
5. She also affirmed an affidavit before the Judicial Magistrate, 1st Court, Burdwan disclosing that she is

the widow of the employee. The affidavit further discloses that the marriage between the petitioner and the employee took place in April 1981 as per Hindu rites and customs.

6. Prayer has been made to direct the authority to reconsider her prayer for grant of family pension.

7. On a perusal of the impugned order, it appears that an opportunity of hearing was provided to the petitioner for production of document in support of her marriage. The petitioner failed to produce the marriage registration certificate or any other supporting document in support of her marriage with the employee.

8. The service record of the employee did not mention the name of the petitioner as his wife. The death certificate of the employee does not mention the name of the widow. The affidavit affirmed by the petitioner, the ration card of the petitioner and the gram panchayat certificate relied upon by her in support of her marriage, are all generated after the death of the employee. The petitioner has not been able to produce a single scrap of paper in support of her marriage generated during the lifetime of the deceased employee.

9. The petitioner has annexed the pension payment order issued to the employee in the year 2001. The same clearly mentions that no family pension has been claimed. The employee was alive for a considerable

period after his retirement in 2001 till his death in January 2023, but he did not include the name of the petitioner as his spouse. The same implies that the employee never disclosed and/or considered the petitioner as his wife. The marriage of the petitioner with the employee is doubtful.

10. In the absence of any contemporaneous document in support of the marriage, the authority rightly rejected the claim of the petitioner seeking family pension.

11. The Court is not inclined to interfere with the impugned order. The writ petition fails and is hereby dismissed.

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

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

(Amrita Sinha, J.)