

13.02.2026

Item no. DL 84
Court No. 24

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No.

WPA 27155 of 2025

In the matter of :

MS. ARATI MAZUMDER & ANR.

... Petitioners

VS.

NATIONAL INSTITUTE OF TECHNOLOGY (NIT) & ORS.

... Respondents

For the Petitioners :

Mr. Krishnendu Banerjee

Mr. Md. Idrish

... Advocates

For the Respondent no.3 :

Mr. Pradip Banerjee

... Advocate

1. Affidavit of service filed in Court today be kept with the record.
2. The petitioners' grievance is that the family pension is not being paid to them, who are the children of a retired employee of respondent authority.
3. The authorities are represented by their learned counsel and submits that they have no objection nor any reservation to pay the pensionary benefit to the petitioners. The only grey area in the matter is in respect of the status of the petitioners and whether such pension is payable to them as the heirs of the deceased employee.

4. The petitioners have also made representations which have not been considered.
5. Accordingly, I direct the respondent no.3 to consider the representation of the petitioners dated September 8, 2025 upon giving a hearing to the petitioners to prove that they are the only legal heirs and successors of the deceased employee. Let such process be completed by March 15, 2026 and a reasoned order in respect thereof be passed by March 31, 2026. Upon passing such order, the same shall be communicated to the petitioners by April 10, 2026.
6. With the above observations, the instant writ petition is disposed of.
7. There shall be no order as to costs.
8. All parties shall act on the basis of server copy of this order, duly downloaded from the official website of this Court.
9. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Reetobroto Kumar Mitra, J.)