

19.01.2026
Sl. No.11(DL)
Ct. No.14
srm

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 27754 of 2025

Tarun Kumar Jana

Versus

The State of West Bengal & Ors.

Mrs. Sabita Khutia (Bhunya),
Ms. Arpita Saha

...for the Petitioner.

Ms. Sanchayita De

...for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks for direction upon the respondent authorities to disburse arrear family pension following the date of death of the mother of the petitioner i.e. 23rd July, 2020 till the date of sanction of the family pension, i.e. 19th September, 2024 together with interest.
3. The petitioner contends that his father was the Head Teacher of Chak Ghanu Primary School under Patashpur North Circle, District-Purba Medinipur. The petitioner's father retired from service on superannuation on 31st July, 2002. The petitioner's father died on 10th November, 2007. The family pension was granted in favour of the mother of the petitioner, namely Kakoli Bala Jana. The petitioner's mother expired on 22nd July, 2020. On 26th October,

2021, after demise of his mother, the petitioner made a representation for grant of family pension as he is physically handicapped son. As the family pension was not granted in favour of the petitioner, the petitioner filed a writ petition before this Court being WPA No.29120 of 2023. The said writ petition was disposed of on 28th February, 2024 as follows:

“In that view of the matter, the D.I. of Schools (Primary), Purba Medinipur is directed to take decision in the matter and communicate the same to the petitioner as well as the DPPG positively within a period of one month from date. If the DPPG receives appropriate clearance from the D.I. of Schools (Primary), Purba Medinipur, let Pension Payment Order be issued to the petitioner and arrears be paid within a period of one month thereafter.”

4. Pursuant to such direction, family pension was granted in favour of the petitioner with effect from 19th September, 2024. The petitioner is entitled to family pension following the date of death of his mother, i.e. 23rd July, 2020. The petitioner seeks for disbursement of arrear pension from the date of entitlement till the date of sanction of the family pension together with interest. Hence, this writ petition.
5. Mrs. Sabita Khutia (Bhunya), learned Advocate for the petitioner submits that the petitioner ought to have been granted family pension from the date following the date of death of his mother.
6. Despite service, none appears on behalf of the State.
7. Ms. Sanchayita De, learned Advocate, who usually appears on behalf of the State-respondents is

requested to appear in this matter. The appearance of Ms. De be regularised by the concerned authority.

8. Let a copy of the writ petition along with its annexure be served upon Ms. De, learned Advocate for the State respondents.
9. Ms. Sanchayita De, learned Advocate for the State leaves the matter to the discretion of the Court.
10. From the contentions made in the writ petition, it is found that after the demise of the mother of the petitioner on 22nd July, 2020, family pension was granted in favour of the petitioner with effect from 19th September, 2024. The petitioner is entitled to family pension from date following the date of death of his mother. Therefore, the petitioner is entitled to arrear of family pension following the date of death of his mother till the date of sanction of the family pension.
11. Accordingly, the respondent No.3, Director of Pension, Provident Fund and Group Insurance, Government of West Bengal is directed to issue revised Pension Payment Order in favour of the petitioner with effect from the date following the date of death of his mother and release the family pension as per revised Pension Payment Order and disburse the arrear family pension in favour of the petitioner together with interest @ 8% per annum from date following the date of death of his mother, i.e. 23rd July, 2020 till

18th September, 2024 within a period of eight weeks from date of communication of this order.

12. Learned Advocate for the petitioner is directed to communicate this order to the respondent No.3, Director of Pension, Provident Fund and Group Insurance, Government of West Bengal, for necessary compliance.
13. With the above direction, the writ petition being **WPA 27754 of 2025** stands disposed of.
14. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
15. Interim order, if any, stands vacated.
16. All connected applications, if any, stand disposed of.
17. There shall be no order as to costs.
18. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
19. 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.)