

Item No.14
05.01.2026
Court. No. 2
(gc)

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION*

WPA 2590 of 2025

Smt. Maina Rai & Anr.
VS
The Union of India & Ors.

*Mr. Pratap Khati,
Mr. Avinash Kalikotay,
Mr. Nishant Nav Rasaily*

...for the Petitioners.

*Mr. Sudipto Kumar Mazumdar, Ld. DSGI,
Mr. Ajoy Kumar Singhania*

...for the Respondent Nos.1 to 5.

1. The writ petition is disposed of with a direction upon the Director (Welfare & Pension), Directorate General, Central Reserve Police Force (CRPF), CGO Complex, Lodhi Road, New Delhi, i.e., respondent no.2, to consider whether the petitioners can be paid the death benefits of their deceased son in accordance with the provisions of the rules applicable to Central Reserve Police Force. The petitioners are the parents of the deceased employee and have claimed benefits on the basis of an agreement arrived at with the widow of the deceased that, the widow will avail of the benefit of compassionate appointment and the parents will be entitled to the death benefits. In

my view, the submissions of the petitioners on this ground cannot be accepted as sacrosanct.

2. The death benefits payable, will be governed by the rules and the case of the petitioners that the widow is willing to forgo the gratuity and other death benefits of the deceased employee, cannot be accepted on the basis of an internal arrangement between the parties. The authorities will have to hear all the parties and take a decision.
3. Under such circumstances, the respondent no.2 will call all the parties for a hearing and pass a reasoned order. The decision shall reach the petitioners as also the widow of the deceased employee, late Bhawan Rai.
4. The petitioners will file their representation before the respondent no.2 within four weeks from date and the respondent will return a finding within eight weeks thereafter.
5. Accordingly, the writ petition is disposed of.
6. There shall be no order as to costs.
7. The parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)