

5<sup>th</sup> May, 2026  
Item no.M/L 88  
Court No. 18  
Pradip, A.R.(Ct.)

**In the High Court at Calcutta**  
**Constitutional Writ Jurisdiction**  
**Appellate Side**

Case No. **WPA 6284 of 2026**

*In the matter of:*

**Ashmira Begam Sekh**

*.... Petitioner*

**VS.**

**The State of West Bengal & Ors.**

*....Respondents*

*For the Petitioner:*

**Mr. Sobhan Majumder**  
**Ms. Kalpita Paul**

*....Advocates*

*For the Respondent no.2:*

**Mr. Suman Basu**

*....Advocate*

1. Affidavit of service filed in Court today is taken on record.
2. The order of the Senior Accounts Officer/P.C. II dated 21<sup>st</sup> January, 2026 excluding the right of the second wife and the married daughters to receive pension despite the personal law of the employee permitting more than one marriages is impugned in the instant writ petition.
3. The petitioner is the second wife of the deceased employee.
4. Reliance has been placed on the service Rules of the employee where there is a provision for equal division of family pension in between the wives of the deceased employee.
5. Learned advocate representing the respondent no. 2 seeks time to revert with necessary instruction in the matter.
6. Relist the matter on 19<sup>th</sup> May, 2026.

7. Written instruction be placed before this Court on the adjourned date.
8. The employee expired on 7<sup>th</sup> March, 2023. There is already a pending claim from the first wife. Learned advocate for the petitioner apprehends that if the family pension in entirety is disbursed in favour of the first wife, then the instant writ petition will become infructuous. Prayer has been made to restrain the authority from disbursing family pension in favour of the first wife pending disposal of the instant writ petition.
9. It appears that the first wife has been impleaded as party in the instant writ petition. Copy of the writ petition has been served upon the said respondent. None appears on behalf of the first wife.
10. To avoid multiplicity of litigation and to preserve the cause of action for filing the writ petition let family pension not be disbursed in favour of any party without the leave of the Court.
11. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

**(Amrita Sinha, J.)**