



2026:CHC-AS:599

Court No. 2

08.8.2025

(Item No. 24)

(AB)

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 14272 of 2025

Baby Farida
VS
Union of India & Ors.

Mr. Asis Bhattacharyya
.... For the petitioner
Mr. Ashok Kumar Jena
.... For respondent nos. 2 & 3

Affidavit of service filed in Court today, is taken on record.

Considering the issue involved in this writ petition it appears that the widow petitioner has been receiving family pension.

Mr. Ashok Kumar Jena, learned counsel for the Kolkata Port Trust authority submits that, every payment on account of superannuation benefit of the employee concerned, who was the deceased husband of the petitioner, have duly been paid to the said employee during his life time. He further submits that, unless the entire superannuation benefit is settled and paid, the family pension would not have commenced for the petitioner.

Still learned counsel appearing for the petitioner submits that, the retiral benefits have not been paid on account of Provident Fund and an alleged deduction of Rs.1,78,115/- has not been paid.



Mr. Jena submits that, a total sum of Rs.16,00,437.03 was paid to the employee concerned on October 24, 2005 by cheque no. 981709. He further submits that, whatever deduction of money has taken place on various heads and various counts, the same was done at the time of settling the retiral dues of the employee concerned and only thereafter the entire retiral dues was paid. The deceased employee had accepted the said deduction without any objection and then received the balance sum.

The respondent no. 2 shall file a report in the form of affidavit in the light of the case made out in the writ petition by disclosing all supportive documents on or before September 4, 2025.

Exception, if any, thereto shall be filed on or before September 18, 2025.

The writ petition shall appear under the heading **“For Orders”** on **September 22, 2025**.

It is made clear that, if it appears on record that, the contention of the petitioner is untrue and devoid of any material then, the Court may proceed to take steps in accordance with law.

In the event of withdrawal of this writ petition, the petitioner shall have to place a copy of today's order before the Court.

(Aniruddha Roy, J.)