IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present :- Hon'ble Justice Amrita Sinha

WPA 14272 of 2025

Baby Farida
Vs.
Union of India & Ors.

For the writ petitioner	:-	Mr. Asis Bhattacharyya Ms. Lucky Patra Mr. Biswajit Mitra Mr. Prabhat Gupta
For the Respondents	:-	Mr. Ashok Kumar Jena
Heard on	:-	10.04.2026
Judgment on	:-	10.04.2026

Amrita Sinha, J.:-

1. The petitioner claims to be a widow of a deceased employee of the Syama Prasad Mookerjee Port, Kolkata. He retired from service on 31st March, 2005 and expired on 7th April, 2012.
2. On 26th June, 2025 the petitioner has filed the instant writ petition and sought for certain information as regards the Provident Fund disbursement in favour of her deceased husband.
3. The petitioner has averred in the writ petition that her husband did not receive the Provident Fund money and a deduction of certain amount was made from his terminal dues.

4. The petitioner has not averred anything as to wherefrom she received the information that her husband did not receive his legal dues. In fact she made application under the Right to Information Act seeking information about the terminal dues of her deceased husband on 21st June, 2025.

5. There is no document annexed to the writ petition to show that the husband ever filed any representation before the authority claiming payment of his legal dues. It is only the widow who has come forward with the claim, that too, non-payment of the terminal dues of her deceased husband. No reason has been mentioned as to why the petitioner approached the Court nearly thirteen years after death of her husband and nearly two decades after her husband superannuated from service.

6. From the report filed by the Senior Accounts Officer (Pension Section) of the authority, it appears that the employee was eligible for payment of gratuity for a sum of Rs. 1,86,031/- and commutation of Rs. 1,23,763/- totalling to Rs. 3,09,794/-. A sum of Rs. 1,78,115/- was adjusted being recoverable amount on account of the various dues of the deceased employee, for example, Calcutta Port Trust employees Co-operative Credit Society, Court attachment etc. After adjustment of his dues, a sum of Rs. 1,31,769/- was paid to the employee on 2nd March, 2006.

7. The report further records that there are records of the Provident Fund Section and that of the Mechanical Engineering Department

to show that the settlement of the Provident Fund dues amounting to Rs. 16,473.03/- was processed and the same was paid in favour of the employee in October, 2005. After the death of the employee, family pension has also been granted in favour of his widow, the petitioner herein.

8. The respondents have categorically mentioned that there is no due amount payable in favour of the deceased employee.

9. The fact that the employee himself did not raise any issue for the period from April, 2005 to April, 2012, as long he was alive after his superannuation alleging non-payment of any of his terminal dues implies that, the employee was satisfied with the payment that he received after superannuation.

10. Even if, there had been any claim, the same appears to have been waived by the employee as he neither raised any objection against the sum received nor placed his claim of dues before the authority during his lifetime.

11. At this stage, thirteen years after the death of the employee, the issue of non-payment of retirement dues, if any, cannot be allowed to be reopened at the instance of his widow. The writ petition is hopelessly time barred and does not merit consideration.

12. In view of the above, no relief can be granted to the petitioner in the instant writ petition. The writ petition fails and is hereby dismissed.

13. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

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14. Urgent certified photocopy of this judgment, if applied for, be supplied to the parties or their advocates on record expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)