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NANDY

(DISMISSED)

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

WPA/21872/2026

RAVI KUMAR DHANUK
VS
THE UNION OF INDIA & ORS.

Mr. Md. Salahuddin, Advocate

Mr. Md. Raziuddin, Advocate

.....for the Petitioner

Mr. Ashok Kumar Jena, Advocate

.....for the Kolkata Port Trust

1. The petitioner is aggrieved that he is not getting the pension on account of his deceased father who expired sometime in February 2026 after years of service with the Port Authorities.
2. Pursuant to the request from the Bench, Mr. Jena, learned Advocate for the respondent authorities, has taken steps to ascertain the facts and it appears that the name of the petitioner does not appear in the nomination form submitted by his father nor is there a declaration to show that the petitioner was a handicapped person, which ought to have been deposited by his father.
3. The letter of June 19, 2026 has been disclosed by the petitioner in his supplementary affidavit, wherefrom such facts appear.
4. The Calcutta Port Trust Employees (Pension) Regulations 1988, which are applicable to the instant case, specify in Clause 37(5) (iv) & (v) that a person seeking family pension on the ground that he is a handicapped child has to be evidenced by a certificate obtained from

the Chief Medical Officer of the Board, setting out as far as possible the exact mental or physical condition of the applicant.

5. Clause 37(5) explanation (a) specifies that *“the disability should manifest itself before the retirement or death of the employee while in service and shall be taken into account for the purpose of grant of family pension under this sub-regulation.”*
6. Admittedly, there is no such disability before the retirement or death of the employee which had been submitted to the authorities. The disabling factors are overbearing in this matter. There is no declaration, no nomination, and no such manifestation that the petitioner was a disabled son before the retirement or the death of the employee, his father.
7. In such circumstances, the relief sought for by the petitioner cannot be granted.
8. This writ petition fails and is accordingly **dismissed**. No order as to costs.

(Reetobroto Kumar Mitra, J.)

