

03 **11.08.
2026**

Ct. No. 18

Ab

WPA 15339 of 2026

**Smt. Tinku Chakraborty
Vs.**

The Union of India and others.

**Mr. Nitai Chandra Saha,
Ms. Nisha Agarwal.**

... for the petitioner.

**Mr. Ramesh Sharma,
Mr. Madhu Jana.**

... for the UOI.

Mr. Bijoy Kumar.

... for the respondent nos. 2.

1. The petitioner is aggrieved that her application for pension has been rejected by the concerned Authorities. The petitioner submits that the petitioner's husband, a former employee as Ex-Principal Scientist under the Genetic Division of the Indian Agricultural Research Institute (hereinafter referred to as "Institute"), received pension, post superannuation. However, after the death of the husband of the petitioner sometime in August 2024, the petitioner's application for grant of family pension was rejected on the ground that the petitioner is not the recorded wife of the former deceased employee.
2. The petitioner further submits that the petitioner is indeed the second wife of the deceased employee, after the first marriage of the said deceased employee was annulled by a decree of divorce by an appropriate Court of jurisdiction. However, such fact has not

been considered on account whereof the application of the petitioner has been rejected.

3. Mr. Kumar, learned Advocate appearing for the respondent no. 2, submits that though the application for grant of pension should ordinarily go through the rigmarole of the statutory provisions of the Administrative Tribunals Act, 1985, However, in the instant case, the rights of the petitioner are to be adjudicated by the appropriate Authority upon production of the requisite documents by the petitioner establishing her status as the legally married wife of the deceased employee on the date of his death.
4. Mr. Kumar has very fairly consented to an order being made in this regard to ensure that the petitioner does not have to go through the process of approaching the Administrative Tribunal.
5. In these circumstances as afore-stated, the petitioner is granted liberty to approach the Director of the respondent no. 2 with all requisite documents, which may be sought for by such Director or his authorized Officer, within a period of two weeks from date.
6. The Director of the Institute will proceed to decide all the issues and dispose of the same within a period of eight weeks from the date of deposit of all requisite documents by the petitioner.
7. Since Mr. Kumar has granted the concession, the

issue of jurisdiction apropos the Administrative Tribunals Act, 1985 has not been agitated and, therefore, not required to be decided.

8. The fair stand adopted by Mr. Kumar is highly appreciated.
9. With the afore-stated directions, the writ petition is disposed of.
10. There shall, however, be no order as to costs.
11. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)