

WPA 15279 of 2026

Smt. Tripti Thakur
Vs.
The State of West Bengal & Ors.

Mr. Partha Sarathi Mondal
Mr. Chiranjit Saha
..... for the petitioner

Mr. Pulakesh Bajpayee
Ms. Tanuka Basu
.....for the State

Mr. Sujit Sankar Koley
..... for the WBSEDCL

Mr. Debasis Kar
Mr. Arka Tilak Bhadra
..... for the respondent
Nos. 6 & 7

1. Let affidavit-of-service, as filed in Court, be kept on record.
2. Petitioner claims to be the wife of late Bablu Thakur, who was a former employee and died-in-harness on October 13, 2014, while serving WBSEDCL. She claims the terminal benefits accrued on account of late Bablu Thakur.
3. Respondents no. 6 to 8 also claim to be the heirs of the deceased employee. Respondent no. 6 also claims to be the other wife of late Bablu Thakur and hence entitled to the terminal benefits.
4. The petitioner had approached this Court by way of an earlier writ petition, which was disposed of on

January 29, 2025, directing the authorities to conduct the enquiry and to find out as to which of the two wives was entitled to receive the pensionary benefits of the deceased employee.

5. The enquiry has now been conducted and in spite of efforts from the authorities, no conclusive finding could be reached in so far as the status of the petitioner and the respondent no. 6 is concerned in relation to the late Bablu Thakur.

6. The suit being Title Suit No. 147 of 2015 is also pending consideration before the learned Civil Judge, Junior Division, Kalyani, Nadia. The suit has been filed for declaration of the rights of the petitioner. There is also a counter claim in such suit by the respondent no. 6 herein. Thus, without ascertaining the right of the petitioner and the respondent no. 6, the authorities cannot be directed to release the terminal benefits accrued on account of the employee.

7. The writ petition has been filed seeking to set aside the orders and the proceedings in Title Suit No. 147 of 2015. There is absolutely no ground shown as to why or how the Writ Court can dismiss the civil proceedings which are pending before the learned Civil Judge, Junior Division, Kalyani, Nadia, since 2015.

8. It would, therefore, not be proper to permit any prayer in this writ petition, prior to the Civil Court

taking a decision in so far as the declaration of right and status of the petitioner and the respondent no. 6 herein are concerned.

9. In the circumstances aforesated, the writ petition fails and is accordingly dismissed.

10. There will be no order as to costs.

11. Urgent photostat certified copy of the order, if applied for, be given to the parties upon usual undertakings.

(Reetobroto Kumar Mitra, J.)