

WPA 9440 of 2020

**Masum Ali Sareng
Vs.
The State of West Bengal & Ors.**

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Mr. Sumit Sanyal
Ms. Priyakshi Banerjee
... For the Petitioner

None appears on behalf of the respondents, despite service.

The petitioner retired as Upper Division Clerk of Maheshtala Municipality on attaining his normal age of superannuation on 30th June, 2017.

The grievance of the petitioner is that he has not been paid his terminal dues till date.

It appears from the record that the Chairman of the Maheshtala Municipality by a communication dated 16th July, 2019 requested the Director of Local Bodies to process the pension case of the petitioner. Even thereafter the petitioner did not receive his terminal benefit.

The petitioner through his learned advocate made a representation before the respondent authorities on 1st October, 2020 praying for realizing his terminal dues. The same not having been considered, the petitioner has filed the instant application for necessary relief.

As per law a retired employee is entitled to receive his retiral dues immediately after his retirement. It is not proper on the part of the respondent to keep the matter pending unnecessarily and delay in releasing the retiral dues of an employee. If there are any discrepancies in the service records of the employee then it is the obligation of the

concerned official to immediately intimate the employee to rectify the defects so that the pension case may be proceeded.

The instant writ petition is disposed of by directing the respondent no. 5, being the Executive Officer, Maheshtala Municipality, to take all necessary steps to ensure that the petitioner receives his terminal benefits within a period of ten weeks from the date of communication of a copy of this order.

The said officer shall intimate the petitioner the reasons for not releasing his terminal dues.

The Director of Local Bodies and the Assistant Director of Pension, Provident Fund & Group Insurance shall also take necessary steps to release the terminal dues of the petitioner within the time as mentioned hereinabove.

The writ petition being WPA 9440 of 2020 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

(Amrita Sinha, J.)

