

11.12.2020
D/L No.06
Court No.25
s.biswas

WPA 9790 of 2020

Anupam Maiti
Vs.
The State of West Bengal & Ors.

(Through Video Conference)

Ms. Sabita Khutia (Bhunya)
Mr. Sudip Sarkar

... ... for the petitioner

Ms. Chaitali Bhattacharjee
Mr. M. K. Ghosh

... ... for the State

The present writ petition has been preferred challenging *inter alia* the inaction on the part of the respondents to disburse the pensionary benefits of the petitioner.

Ms. Khutia, learned advocate appearing for the petitioner submits that the petitioner retired from the post of Assistant Teacher in Upalda Sarboday Higher Secondary Sikshaniketan (in short, the said school) on 31st January, 2020. He submitted all relevant documents to the competent authority for disbursement of his pensionary benefits. Subsequent thereto, certain objections were raised, as would be explicit from the document annexed at page 49 of the writ petition. The said objections were replied to by the authorities of the said school and a letter to that effect was issued to the respondent no.4 by the respondent no.7 on 20th March, 2020. However, no steps were taken thereafter and the

petitioner's claim has been illegally kept in abeyance. Repeated reminders issued by the petitioner had also not been responded to.

Ms. Bhattacharjee, learned advocate, appears for the State respondents.

No explanation is forthcoming as to why appropriate steps have not been taken by the pension sanctioning authority though it appears that all the objections, as raised, have been considered, clarified and replied to by the school authorities. Even after such clarification, the pension case has not been processed.

Upon hearing the learned advocates appearing for the respective parties, I am of the opinion that no useful purpose would be served in keeping the writ petition pending and the issue needs to be relegated to the pension sanctioning authority being respondent no.4.

Accordingly, this Court directs the respondent no.4 to consider the petitioner's grievance as ventilated through the letter dated 23rd September, 2020, annexed at page 61 of the writ petition, upon granting an opportunity of hearing to the petitioner and the school authorities and to take appropriate steps towards disbursement of the pensionary benefits in favour of the petitioner, in accordance with law and in the light of the observations made in this order, within a period of eight weeks from the date of communication of this order along with a copy of the writ petition.

It is made clear that on the date scheduled for hearing before the respondent no.4, the school authorities shall appear with all relevant records so that the dispute can be resolved.

The respondent no.3 shall also take all follow up steps and ensure that the petitioner's pensionary benefits are disbursed.

With the above observations and directions, the writ petition is disposed of.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties on completion of all necessary formalities.

(Tapabrata Chakraborty, J.)