

17.8.2021
Court No. 19
Item no.11
sn

WPA No. 7192 of 2021

RAMDAYAL BHAIYA VS. CHAMPDANY
MUNICIPALITY & ORS.
(via video conference)

Mr. Partha Sarkar

...for the petitioner

Mr. Ayan Banerjee

Mr. Soumo Chaudhury

..for the Municipality

Let the affidavit of service be taken on record.

The petitioner alleges that some portion of the gratuity, as also the arrear pension payable to the petitioner has not been released by the municipality. It is further submitted that regular monthly pension has also not been paid for the period February, 2020 to March, 2021

Mr. Banerjee, learned advocate for the municipality submits on instruction that the entire gratuity amount had been released. Arrear pension has also been released but some portion of the current pension has not been paid due to shortage of funds.

Under such circumstances, the petitioner is directed to meet the competent authority of the Champdani Municipality with his documents and calculations with regard to the amount due and payable according to him. Once such application and documents are submitted before the competent

authority of the concerned municipality, the concerned authority of the municipality shall call the petitioner for a hearing, deal with the submissions of the petitioner and pass a reasoned order indicating the amount that has already been paid to the petitioner and the amount still due and payable. Reasons shall be assigned if the petitioner's calculation is not accepted.

The reasoned order shall be communicated to the petitioner. If it is found that the municipality owes certain money to the petitioner, then steps should be taken for payment of the said amount expeditiously, preferably within a period of 3 months from the date of communication of this order.

This Court is not deciding the question of interest at this stage.

This writ petition is disposed of.

There will be, however, no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)