

S/L 15
04.10.2021
Court. No. 19
GB

WPA 13691 of 2021

Bhakti Pada Samanta
Vs.
The State of West Bengal & Ors.

(Through Video Conference)

Mr. Senjuti Sengupta.

...for the Petitioner.

*Mr. Susanta Pal,
Ms. Ananya Neogi.*

...for the State.

*Mr. Dipak Kumar Mukherjee,
Mr. Rajib Mukherjee,
Ms. Shreyasi Bhaduri,
Mr. Supriya Dey,.*

...for the Municipality.

It is submitted by the learned Advocate for the municipal authorities that the petitioner has not supplied the relevant documents as required by the municipality in the letter dated September 12, 2008 for processing the file of the petitioner.

The writ petition is also belated and there is no explanation as to why the petitioner sat quite since 2008 instead of supplying the documents relevant for the purpose of grant of retirement benefits, if admissible as per law.

Under such circumstances, the writ petition is disposed of with a direction upon the petitioner to approach the municipal authorities and renew the prayer for grant of admissible retirement benefits. If such approach is made, the municipality shall indicate to the petitioner the documents

that may be required for consideration of the matter within four weeks thereafter. Upon supply of such documents, the municipal authority will decide the issue in accordance with law including the question as to whether the petitioner would be entitled to any retirement benefit at all.

This order is passed on the specific submission by the petitioner that the earlier writ petition being W.P. 2612 (W) of 2003 has been dismissed for default and no steps have been taken by the petitioner to revive the same and that the petitioner has given up the challenge contained in the said writ petition. A reasoned order shall be communicated to the petitioner within six weeks from compliance by the petitioner.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All parties are to act on the basis of the learned advocate's communication.

(Shampa Sarkar, J.)