

24.12.2021
rc/ct.no.10
Item No.221

WPA No. 19360 of 2021
Sheo Prosad Roy
Vs.
State of West Bengal & Ors.

Mr. Uddipan Banerjee ...for the Petitioner

Mr. Susovan Sengupta
Mr. Bipin Ghosh ...for the respondent no.2

Learned counsel appearing on behalf of the petitioner contends that the petitioner served the company being the respondent no. 3 herein for 34 years and superannuated on December 01, 2015. No gratuity was paid to the employee by the respondent no. 3 for which the employee submitted an application in Form No. N on December 01, 2016 before the respondent no. 2 claiming gratuity along with interest thereon. The said application is yet to be disposed of. The petitioner prays for a direction upon the Controlling Authority to consider the said application at the earliest.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, I dispose of the writ petition with a direction upon the respondent no. 2, being the Controlling Authority to consider and dispose of the application filed by the employee dated December 01, 2016 within a period of three months from the date of communication of this

order, after giving reasonable opportunity of hearing to all the stake holders including the petitioner and the employer, in accordance with law.

With the above observations and directions this writ petition being WPA No. 19360 of 2021 is disposed of.

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

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)