

24.12.2021
rc/ct.no.10
Item No.220

WPA No. 19359 of 2021
Moharlal Prasad
Vs.
State of West Bengal & Ors.

Mr. Uddipan Banerjee ...for the Petitioner

Mr. Susanta Pal
Mrs. Ananya Neogi ...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 37 years and superannuated on July 01, 2016. No gratuity was paid to the employee by the respondent no. 3 for which the employee submitted an application in Form No. N on September 24, 2018 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 September 24, 2018 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. 19359 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)