

15-01-2021
Subrata
Item no.14

IN THE HIGH COURT AT CALCUTTA
Constitutional writ Jurisdiction
Appellate Side

WPA No.7850 of 2020
Dipak Kumar Banerjee
-vs-
The State of West Bengal & Ors.

Mr. Sujit Kumar Rath
Mr. Sukumar Sarkar ...for the petitioner

Mr. Pinaki Dhole
Mr. Khairul Islam ...for the State

The petitioner claims to have retired from the service of Raiganj municipality on April 30, 2019. He complains by way of this writ petition that after retirement, he has not been paid his retirement benefits due to him. He prays for a direction upon the municipality to release his terminal dues.

It is submitted that a representation (Annexure P6, p.15) made by the petitioner praying for releasing his retirement dues has not been considered by the municipality till date.

In view of the situation, the instant writ petition is disposed of by directing the Raiganj Municipality and its Chairman – the respondents no.3(a) and 4 herein – to consider the petitioner's representation for release of his retirement benefits due to him, strictly in accordance with law, within a period of eight weeks from the date of communication of a copy of this order. The said respondents shall pass a reasoned decision and communicate it to the petitioner immediately thereafter.

In the event the respondents are of the opinion that the petitioner is entitled to receive his retirement benefits, necessary steps shall be taken for releasing the same at the earliest.

It is made clear that this court has not gone into the prayer of the petitioner made in the writ petition; and all points are left open to be decided by the respondents at the time of consideration of the petitioner's representation.

[Amrita Sinha, J]