

27.01.2021.
Item no. 31.
Court No.13
ap

W.P.A. No. 9657 of 2020
(Through Video Conference)
Narayan Chandra Dolui
Versus
The General Manager (HR), W.B.S.E.D.C.L & Ors.

Mr. Sukumar Ghosh.

...For the petitioner.

Mr. S. S. Koley.

...For the WBSEDCL.

The matter was originally fixed on 1st February, 2021.

Upon mentioning and by consent of the parties, the instant matter is preponed and taken up for hearing today.

The writ petitioner is aggrieved by the fact that his pension has not been released till date.

Counsel for the WBSEDCL submits that, for unauthorized absence, the writ petitioner was proceeded departmentally prior to his retirement and proceedings are still continuing.

It is submitted that a second show-cause notice in the said proceeding is about to be issued in the next few days.

In the above circumstances, since the proposed punishment in the second show-cause is minor in nature, the authorities shall take steps to complete the proceeding and commence pension to the petitioner and release other retiral benefits in accordance with

law as expeditiously as possible, preferably within a period of 45 days from date.

It is, however, made clear that the petitioner's cause of action, if any, against the final order shall be reserved to him, which he may apply in accordance with law.

The issue as regards the delay in completion of the proceeding and any grievance of the petitioner shall also be deemed to have been reserved to be agitated in future since it is submitted that the proceedings commenced in the year 2012 and the petitioner superannuated in the year 2014.

With the aforesaid directions, the instant writ application shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

(Rajasekhar Mantha, J.)