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18.01.2021.
d.p.

**W.P.A 9981 of 2020
(Via Video Conference)**

**Sujoy Kumar Mondal
-versus
The State of West Bengal & Ors.**

**Mr. Ekramul Bari,
Ms. Tanuka Basak.
...For the Petitioner.**

**Mr. Himadra Sekhar Chakraborty,
Ms. Rama Halder.
...For the State.**

Affidavit-of-service filed in Court today is taken on record.

None appears on behalf of the Municipality in spite of service.

The petitioner was appointed on contractual basis by an order dated 1st December, 2016. The contract was valid upto 1st July, 2017. The service of the petitioner was thereafter extended from time to time and lastly it stood extended by an order dated 20th June, 2019 upto 1st July, 2020. The petitioner tendered his resignation on 2nd August, 2019. The resignation of the petitioner was accepted immediately thereafter.

The grievance of the petitioner is that his prayer for payment of outstanding salary amounting to Rs.1,20,769/- (Rupees One Lakh Twenty Thousand Seven Hundred Sixty Nine only) for the period June 2019, July 2019 and 1st August, 2019 has not been paid in spite of repeated representations.

The petitioner prays for a direction upon the Municipality for payment of his outstanding dues.

As it appears that the terms and conditions of the letter of appointment clearly mentioned that the appointment is terminable from either side and the petitioner tendered his resignation in August 2019 which was accepted by the Municipality, it was incumbent upon the Municipality to release the salary, which was due and payable for the period the petitioner rendered service in the said Municipality.

In view of the above, the instant writ petition is disposed of by directing the Chairman, Pujali Municipality being the respondent No.4 herein, to take steps for clearing the outstanding dues of the petitioner, strictly in accordance with law, within a period of three months from the date of communication of a copy of this order.

W.P.A. 9981 of 2020 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)