

OD-26

WPO/110/2017
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE
(Via Video Conference)

REKHA BHAKAT
Versus
STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 10th February, 2021.

Appearance:-

Mr.Syed Shamsul Arefin, Adv.

Ms.Chamma Mukherjee, Adv.

The Court : The grievance of the petitioner is directed against non-payment of subsistence allowance along with interest.

Ms. Chamma Mukherjee, Advocate appearing on behalf of the respondent State submits that, the petitioner has abandoned her service as far back as in 2009 and has filed this petition in 2017. She submits that there is no merit in this case and that the petitioner is not entitled to any order at all. She also submits that criminal proceedings have been initiated against the petitioner.

I have considered the submissions made on behalf the parties.

I am of the view that in view of the fact that the petitioner had abandoned service as far back as in 2009 and not approached any fora in the interregnum, there is no equity in favour of the petitioner.

In view of the above and primarily on the ground of delay, there is no merit in this petition.

WPO No. 110 of 2017 is dismissed.

However, there will be no order as to costs.

(RAVI KRISHAN KAPUR, J.)

D.Ghosh