

Item No. 88

17.08.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 602 of 2022

Akhroba Banu
v.
The State of West Bengal & Ors.

Mr. Anjan Dutta
... for the petitioner.

Mr. Sandipan Banerjee
Mr. Sobhan Majumder
Mr. Ankit Sureka
... for HMC.

Mr. Tarun Kumar Ghosh
Ms. Rupsha Chakraborty
... for the State.

The petitioner being the widow of a deceased employee of the Howrah Municipal Corporation has made a prayer for releasing the death benefits of her husband. The employee died-in-harness on December 12, 2020.

The petitioner claiming to be the widow made application before the Howrah Municipal Corporation for releasing the terminal benefits on January 25, 2021.

By an information under the Right to Information Act, 2005 the Howrah Municipal Corporation disclosed that salary of the employee was stopped since July 8, 2014 due to unauthorized absence. On October 26,

2019 application was made by the employee for resumption of his normal duties.

Medical board was constituted to assess the physical health of the employee. During the process of the medical examination, the employee passed away.

The application of the petitioner seeking release of the terminal benefits is pending consideration at the end of the Howrah Municipal Corporation.

In view of the above, the instant writ petition is disposed of by directing the competent officer of the Howrah Municipal Corporation to take steps to consider the prayer of the petitioner for releasing the terminal benefits of the deceased employee in her favour.

A decision shall be taken in the matter at the earliest but positively within a period of eight weeks from the date of communication of a copy of this order. The Howrah Municipal Corporation, if required, may grant an opportunity of hearing to the widow to place relevant documents in support of her claim.

The aforesaid respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

The learned advocate for the petitioner is directed to forward a copy of the representation of the petitioner along with all supporting documents in respect of her

claim to the aforesaid respondent at the time of communicating the order of this Court.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)