

28.02.2022
Court No. 19
Item no.17
CP

WPA No. 1460 of 2022

Shyam Chand Choudhury
Vs.
The State of West Bengal & ors.

Mr. Arjun Mookherjee
Sk. Kiran

....for the petitioner.

Mr. Probal Sarkar

....for the municipality.

Mr. Sarkar, learned advocate appearing on behalf of the Murshidabad Municipality (hereinafter referred to as 'the municipality'), fairly submits that all the admitted retirement benefits of the petitioner and the gratuity as admissible under the law shall be paid within a period of four months from the date of communication of this order.

The point of payment of interest is not decided at this stage as the court is not in a position to decide whether the delay in such payment occurred due to the laches of the municipality or the petitioner himself, by not complying with the necessary formalities.

All retirement benefits including the gratuity etc. as admissible under the law shall be paid within

a period of three months from the date of communication of this order.

The petitioner will be at liberty to file a representation before the concerned municipality for payment of interest at the current bank rate paid on fixed deposits. The municipality shall consider the same in accordance with law. Reasons shall be assigned, if the claim for interest is denied by the municipality. The said exercise shall be completed within a period of four months from the date of receipt of the representation of the petitioner.

A reasoned order shall be passed and communicated to the petitioner.

Accordingly, the writ petition is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)