

WPA 2770 of 2022

Hemanta Kumar Swain
Vs.
The State of West Bengal & Ors.

Mr. Rananeesh Guha Thakurata,
Ms. Senjuti Sengupta,
...for the petitioner.
Mr. Soumitra Bandyopadhyay,
Mr. Ram Chandra Guchait,
...for the State.

Affidavit of service filed by the petitioner is taken on record. The private respondent is not represented despite service.

The petitioner was employed with the private respondent from 25th March, 1982 to July 17, 2017. A portion of the gratuity amount due to the petitioner was paid to him but the balance gratuity amount along with interest thereon remain unpaid. The petitioner submitted an application in form 'I' before the employer on 17th October, 2019 which was rejected by an order dated 25th October, 2019. The petitioner subsequently filed an application in form 'N' before the 2nd respondent on November 6, 2019 which was registered as Gratuity Case no. G-06/20. The Gratuity case is still pending before the authority. The petitioner prays for a direction upon the authority to consider the case at the earliest.

Having considered the submissions made on behalf of the parties, the writ petition is disposed of

directing the 2nd respondent to consider and dispose of the application filed by the petitioner being Gratuity Case o. G-06/20 within a period of three months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law. The decision taken by the authority shall be communicated to the petitioner within a week thereafter.

With such directions, WPA 2770 of 2022 is disposed of. There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)