

27.04.2022
Item No.344
srm

W.P.A. No. 2834 of 2022

Md. Sobrati
Versus
The State of West Bengal & Ors.

Mr. Uddipan Banerjee

...for the Petitioner.

Mr. Supratim Dhar,
Mr. Ram Chandra Guchhait

...for the State-respondents.

None appears for the private respondent despite service.

The petitioner prays for expeditious disposal of the gratuity case pending before the 2nd respondent.

The petitioner was employed under the 3rd respondent and superannuated on 16th July, 2005. Several approaches made by the petitioner before the employer for payment of gratuity due to him fell on deaf ears for which the petitioner ultimately filed an application in Form-I before the employer on 17th September, 2018, which was also not considered. The petitioner finally filed an application in Form-N before the 2nd respondent, which was registered as Gratuity Case No.G-110/18/DLC/HOW. The said gratuity case is still pending. The petitioner prays for direction upon the 2nd respondent to consider the gratuity case at the earliest.

Having considered the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the gratuity case filed by the petitioner being Gratuity Case No.G-110/18/DLC/HOW within three months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner and the private respondent, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereafter.

It is made clear that this Court has not gone into the merits of the case and parties shall be at liberty to place their respective contentions before the authority at the time of hearing.

With the above observations and instructions, this writ petition being WPA 2834 of 2022 is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ 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.)