

WPA 3337 of 2022

(Via Video Conference)

Badal Manna
Vs.
The State of W.B. & Ors.

Mr. Bikash Shaw
...for the petitioner.

Mr. Sirsanya Bandyopadhyay
Mr. A. K. Nag ...for the State.

Mr. Balai Ch. Paul
Ms. R. Sarkar
...for the respondent No.4.

Affidavit of service filed on behalf of the petitioner is taken on record.

The innocuous prayer of the petitioner is for expeditious disposal of the appeal pending before the 3rd respondent under Section 7(7) of the Payment of Gratuity Act, 1972.

The petitioner was dismissed from service by the 4th respondent on account of his disablement due to an accident which occurred on or about 15th March, 1998 when the petitioner was in service. Applications filed by the petitioner before the authority for payment of gratuity due to him was not heeded to for which the petitioner filed an application in Form N before the Controlling Authority. The said application was registered as Gratuity Case No.25/G/2015 and by an order dated 9th December, 2020,

the Controlling Authority dismissed the application with an observation that the petitioner was not entitled to gratuity. The said order was carried in appeal before the 3rd respondent on 31st December, 2020 and the said appeal is still pending.

It is submitted on behalf of the respondents that the Appellate Authority be directed to dispose of the appeal within a stipulated time frame.

In view of the above, the writ petition is disposed of directing the 3rd respondent to dispose of the appeal filed by the petitioner before it within a period of two months from the date of communication of this order on merits, after giving reasonable opportunity of hearing to both the parties, in accordance with law.

With the above observations and directions this writ petition being WPA 3337 of 2022 is disposed of.

However, there shall 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.)