

**Sl. No.65**  
**22.08.2022**

Court No.24  
B.M.

**In The High Court At Calcutta**  
**Constitutional Writ Jurisdiction**  
**Appellate Side**

**W.P.A 3405 of 2022**

**Sahabuddin Sk.**  
**versus**  
**The State of West Bengal & Ors.**

Mr. Partha Sarathi Das  
Mr. Md. Hafiz Ali

... for the Petitioner

Mr. Rabindra Narayan Dutta  
Mr. Pasupati Sana

... for the State

The petitioner is a retired employee of Bharatpur-I Panchayat Samity under Bharatpur-I Development Block. He retired from service on 31<sup>st</sup> January, 2020.

The petitioner who was serving in the post of Group-D (Casual) received his remuneration from 7<sup>th</sup> August, 2019 till his date of retirement, on attaining his age of superannuation, on 31<sup>st</sup> January, 2020.

The petitioner has submitted his claim for disbursing his arrears of remuneration since 1<sup>st</sup> August, 2011.

The Block Development Officer by a communication dated 23<sup>rd</sup> February, 2021 has forwarded to the District Panchayat and Rural Development Officer, Murshidabad details of the amount which the petitioner claims to be entitled to.

The petitioner thereafter made further representation before the District Panchayat and Rural Development Officer, Murshidabad by a letter dated 31<sup>st</sup> March, 2021.

The petitioner alleges that there is no response from the end of the District Panchayat and Rural Development Officer, Murshidabad.

It appears from the documents annexed to the writ petition that the Block Development Officer, Bharatpur-I Development Block has already sought for releasing the fund to the tune of Rs.8,43,932/- in favour of the petitioner on account of his arrear remuneration, if permissible, and the petitioner has also submitted representation before the District Panchayat and Rural Development Officer, Murshidabad for disbursal of the aforesaid amount, but the same is pending at the end of the District Panchayat and Rural Development Officer, Murshidabad.

In view of the above, the respondent no.5 being the District Panchayat and Rural Development Officer, Murshidabad, is directed to take a decision with regard to the prayer of the petitioner for releasing the sum to the tune of Rs.8,43,932/- only on account of his arrear remuneration. A decision shall be taken by the respondent no.5 in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of this order.

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

If the aforesaid respondent is of the opinion that the petitioner is entitled to receive the aforesaid amount then steps shall be taken for releasing the same in favour of the petitioner within a period of six months thereafter.

The petitioner is directed to forward a copy of the communication dated 23<sup>rd</sup> February, 2021 along with the break up of the arrear remuneration payable to him and the representation submitted by him on 31<sup>st</sup> March, 2021 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 on completion of usual formalities.

**( Amrita Sinha, J.)**