

March 22, 2022
ARDR
(237)

WPA 4242 of 2022

Dipu Mondal
Vs.
The State of West Bengal & Ors.

Ms. Senjuti Sengupta,
Mr. R. Guha Thakurata
...for the petitioner.
Mr. Ansar Mondal,
Mr. Sougata Mitra,
...for the State.

Affidavit of service filed by the petitioner is taken on record. None appears for the private respondent despite service.

The petitioner complains of non-payment of gratuity. The petitioner was employed with the private respondent since December 13, 1977 and superannuated on 10th July, 2017. Several requests for payment of gratuity made by the petitioner to the employer were not heeded to for which the petitioner filed an application in form I before the private respondent on 13th December, 2018 which was not considered. Subsequently, the petitioner filed an application before the Controlling Authority in form N on 22nd January, 2019 which was registered as Gratuity Case no. G-39/19. The Gratuity Case is yet to be disposed of. The petitioner prays for a direction upon the 2nd respondent to dispose of the Gratuity Case at the earliest.

Upon consideration of the submissions made by the parties, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the Gratuity case being G-39/19 pending before the authority within three months from the date of communication of this order after giving reasonable opportunity of hearing to all the concerned parties including the petitioner and the private respondent, in accordance with law. The decision taken by the authority shall be communicated to the petitioner with a week thereof.

With the aforesaid directions, WPA 4242 of 2022 is disposed of. There shall however, be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)