

385
jdt.

24.06.2022
jb.

W.P.A. 4528 of 2022
(Salma Bibi vs. State of West Bengal & Ors.)

Mr. Susanta Pal
.... For the Petitioner

Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

Ms. Sneha Singh
....For the Respondent No. 4

The petitioner is the widow of the employee Hanif Sk. who was an employee under the 4th respondent and expired on 29th December, 2020, after superannuation. The 2nd respondent issued Form R on 1st August, 2018 indicating that the employee was entitled to an amount of Rs.2,08,438/- as gratuity under Payment of Gratuity Act, 1972. Despite such finding, the said amount was not paid to the petitioner for which the petitioner made a representation on 24th February, 2021 requesting the Labour Officer of the 4th respondent to release the said amount. No response being received from the employer, the petitioner made a further representation on 17th September, 2021 before the 3rd respondent who, pursuant to the said representation, issued notice of hearing to the 4th respondent, but to no effect. The

petitioner complains that no further initiative has been taken by the third respondent for recovery of the amount due to the petitioner. The petitioner has prayed for a direction upon the third respondent to take necessary steps for recovery of the said amount within stipulated time frame.

Upon consideration of the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 3rd respondent to initiate necessary proceeding for recovery of the amount awarded by the 2nd respondent and bring the proceeding to its logical conclusion within four months from the date of communication of this order, in accordance with law.

W.P.A. 4528 of 2022 is thus disposed of.

There shall 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.)