

15.06.2022.
Court No.13
Item No. 26
ap

W.P.A. No. 5079 of 2019

**Md. Kalamuddin
Versus
The State of West Bengal & Ors.**

Mr. Ekramul Bari,
Mr. Syed Mansur Ali.

...For the petitioner.

Mr. Supriya Chattopadhyay,
Mr. Pinaki Bhattacharya.

..For the State.

Ms. Koyeli Bhattacharyya.

..For the WBBSE.

The petitioner is aggrieved by a disciplinary proceeding instituted against him and non-disbursal of pensionary benefits despite superannuation.

Counsel for the State submits that while initial approval of disciplinary proceeding against the petitioner was granted, the subsequent approval or second stage approval was never granted.

Counsel for the State also produces a Pension Payment Order issued in favour of the petitioner vide Memo dated 6th August, 2018.

In view of the matter, this Court is, therefore, of the view that the Pension Payment Order has been issued in favour of the petitioner, the disciplinary proceeding against him have lapsed.

The instant writ petition is disposed of keeping the Pension Payment Order dated 6th August, 2018 on record.

All pensionary benefits including arrears shall be released in favour of the petitioner within three months from date of communication of a copy of this order after completion of necessary formalities by the petitioner and other respondents.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)