

June 24, 2022
ARDR
(392)

WPA 6825 of 2022

Hannan Laskar
Vs.
The State of West Bengal & Ors.

Mr. Uddipan Banerjee,
...for the petitioner.
Ms. A. Pandey,
Ms. A. Pandey,
Mr. Sneha Singh,
...for respondent no.3.
Mr. Susoven Senguta,
Mr. Subir Pal,
...for the State.

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

The petitioner complains of non payment of gratuity.

The petitioner was an employee under the 3rd respondent and superannuated on 21st March, 2013. Several approaches made by the petitioner to the 3rd respondent for payment of gratuity due fell on deaf ears for which the petitioner submitted an application in form I on 15th February, 2021 before the 3rd respondent seeking payment of the amount along with interest. Since no step was taken by the management of the company, the petitioner filed an application in form N before the 2nd respondent on 9th February, 2022. The petitioner complains that the same has not been registered by the 2nd respondent till date. The petitioner prays for a direction upon the 2nd respondent to register the gratuity case and dispose of the same within a stipulated time frame.

Having considered the submissions made on behalf of the parties and material on record, the writ petition is disposed directing the 2nd respondent to register the gratuity case in terms of form N submitted by the petitioner on 9th February, 2022 and consider and dispose of the case within two months from the date of communication of this order after giving reasonable opportunity of hearing to the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

With the aforesaid directions, WPA 6825 of 2022 is disposed of. There shall however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)