

WPA 6828 of 2022

Sekh Ayajuna Begum
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. Ansar Mandal,
Ms. Sreelekha Bhattacharjee,
...for the State.

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

The petitioner is the widow of the employee Sk. Baharuddin who was employed with the 3rd respondent and superannuated on 21st February, 2005. The employee breathed his last on 12th August, 2019. After the death of her husband, the petitioner approached the management of the 3rd respondent for payment of gratuity due to her husband, but to no effect. The petitioner submitted an application in form J to the 3rd respondent on 8th February, 2021 for payment of gratuity to the tune of Rs.1,10,680/- along with interest which was not considered. The petitioner ultimately submitted an application in form N before the 2nd respondent on 17th December, 2021 which is yet to be registered. 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 17th December, 2021 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 6828 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.)