

WPA 5938 of 2007**Srimanta Kumar Raut
Vs.
State of West Bengal & Ors.**

Mr. Saptarshi Roy,
Mr. Siddhartha Roy,
Ms. Kakali Das Chakraborty

...For the Petitioner

Mr. Nilotpall Chatterjee,
Mr. Raja Saha

...For the University

Mr. Swapan Kumar Datta,
Mr. Rajat Datta

...For the State

Petitioner, in this writ petition, has prayed for release of his arrear salaries from the month of July, 1995, till his retirement. He has also prayed for release of his retiral dues.

It appears that the petitioner was appointed as a 'Reader' in Zoology Department in the University in the year 1990 and he superannuated on July 31, 2007, after completion of sixty years. His prayer for extension was not allowed by the University vide its resolution dated May 15, 2007. The said resolution was communicated to him by the Registrar of the University by a letter dated June 1, 2007.

Though it was contended by the learned advocate for the petitioner that the petitioner was allowed to serve in the University even after his superannuation, I do not see

any reason to accept the same for the reasons recorded in the order passed today in WPA 27932 of 2008 (Srimanta Kumar Raut v. University of Calcutta & Ors).

I am of the opinion that since the petitioner's service was not extended beyond 31st July, 2007, he cannot claim anything beyond that date.

It has been submitted by the learned advocate for the University that on account of salary, the petitioner was entitled to receive Rs. 25,40,871/-. The said amount has been released in favour of the petitioner by two cheques.

It is, however, admitted by the University that the retiral dues of the petitioner has not yet been released.

The University will release the retiral dues of the petitioner including the pension within two months from date, subject to compliance with all formalities by the petitioner. The petitioner shall cooperate with the University in preparing the papers related to his retiral dues.

Needless to mention that the retiral dues shall be calculated treating the petitioner retired from service on July 31, 2007.

Petitioner submits that his arrear salaries have not been calculated as per the revised pay-scale.

I am not inclined to enter into such a dispute at this juncture. If the petitioner is aggrieved by the calculation or there is any unpaid amount on account of arrear salary, he will be at liberty to file a fresh writ petition.

Accordingly, WPA 5938 of 2007 is disposed of.

Let urgent photostat certified copies of this order, if

applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Kausik Chanda, J.)